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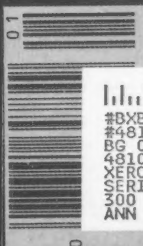
by Lawrence K. Grossman

JANUARY/FEBRUARY 1996

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"TO ASSESS THE PERFORMANCE OF JOURNALISM ... TO HELP STIMULATE CONTINUING IMPROVEMENT IN THE PROFESSION, AND TO SPEAK OUT FOR WHAT IS RIGHT, FAIR, AND DECENT" From the founding editorial, 1961

The Struggle Against Forgetting

Opening day is as important as graduation in terms of setting out first principles at Columbia's Graduate School of Journalism. Professor James Carey, former dean of the College of Communications at the University of Illinois and a member of the faculty since 1992, spoke to the class of '96. His remarks are a welcome reminder of What It's All For.

In 1940, the Trustees of Columbia University, upon the recommendation of the Pulitzer Advisory Board, awarded the Pulitzer Prize in Literature to John Steinbeck's *The Grapes of Wrath*, a novel that has deservedly acquired, in the half century since, an enormous international audience. But the novel did not begin as a novel; it began as journalism. Steinbeck undertook, first of all, a text and photo book recording the lives of California's migrant farm workers for Time Inc. Later he transformed the material into an epic and odyssey: the trek of the Joad family west from the drought of the dust bowl of the Great Plains to the rising waters of California's agricultural valleys. Steinbeck was but one among many who have transformed the fundamental elements of journalism — close, careful detailed description and reportage — into fiction and myth. Reflecting on journalism years later, in the 1950s, Steinbeck had this to say of our common craft:

What can I say about journalism? It has the greatest virtue and the greatest evil. It is the first thing a dictator controls. It is the mother of literature and the perpetrator of crap. In many cases it is the only history we have and yet it is the tool of the worst men. But over a long period of time and because it is the product of so many men [and women], it is perhaps the purest thing we have. Honesty has a way of creeping into it even when it was not intended.

Steinbeck's reflection implicitly claims that journalism is a collective arrest of experience. Like the novel to which it is at every historical point connected, journalism converts valued experience into memory and record so it will not perish. When the workers at the shipyard at Gdansk erected a monument to their fallen comrades in Solidarity, they engraved on it the line of Milosz, "the poet remembers," where the poet includes all of us who arrest experience through word and image, who make the world by making our common memory of it. Similarly, Milan Kundera opens *The Book of Laughter and Forgetting* by claiming that the struggle of man against power is the struggle of memory against forgetting, thereby paying tribute to those democratic arts like journalism and the novel which are the commonplace means to socially significant ends.

Journalism takes its name from the French word for day.

It is our day book, our collective diary, which records our common life. That which goes unrecorded goes unpreserved except in the vanishing moment of our individual lives. The creation and preservation of collective memory, whether practiced heroically and clandestinely in Kundera's Czechoslovakia or openly and freely in New York, is the final object and ultimate significance of your education here.

For here you will study the practice of journalism. Not the media. Not the news business. Not the newspaper or the magazine or the television station but the practice of journalism. There are media everywhere. Every despot creates his own system of media. There is a news business everywhere; there just isn't all that much journalism, for there can be no journalism without the aspiration for or institutions of democratic life. In despotic countries news stories are written, editorials are crafted and delivered, demonstrations are organized purporting to represent the will of the people. But all this is empty and hollow, for it expresses no shared and common mind and no collective meaning. The fact that the shadow of journalism is cast over the substance of despotism is backhanded testimony to the power and purpose of the craft.

Journalism arose as a protest against illegitimate authority in the name of a wider social contract, in the name of the formation of a genuine public life and a genuine public opinion. Journalism can be practiced virtually anywhere and under almost any circumstances. Just as medicine, for example, can be practiced in enormous clinics organized like corporations or in one-person offices, journalism can be practiced in multinational conglomerates or by isolated freelancers. Just as medicine can be practiced with technologies as advanced as magnetic image resonating machines or as primitive as an ear that hears complaints and an eye that observes symptoms, so journalism can be practiced with satellites or script. The practice does not depend on the technology or bureaucracy. It depends on the practitioner mastering a body of skill and exercising it to some worthwhile purpose.

For journalism and for us that purpose is the development and enhancement of public life, a common life which we can all share as citizens. The role journalism has played in constituting such a life is one of the noblest chapters in our history and one of the our most fervent hopes for our future.

The struggle of people against power is the struggle of memory against forgetting. To make experience memorable so it won't be lost and forgotten is the task of journalism. To be able to do this and to do it well is all that one can ask for in a career.

LETTERS

ON BEING CIVIC-MINDED

Relying on anonymous sources (and even an anonymous newspaper!) for scare stories about public journalism is weak, in my view. But on the whole, I thought CJR's piece ("Are You Now, Or Have You Ever Been, a Civic Journalist?" September/October) was very fair to me personally, balanced in a reasonably thoughtful way about the movement as a whole, and much needed as this "debate" moves into a second and, one hopes, more productive stage. I put the word "debate" in quotes because the first stage was dominated by an attack on something we proponents weren't saying — namely, that "advocacy journalism" was due for a comeback and that journalists should "get involved" in solving problems themselves or pushing their agenda. I believe this false paraphrase was mostly the result of professional reflex ("if it's not what I recognize as good journalism, it must be what I recognize as the opposite"), laziness, and, in a few cases, perhaps, deliberate straw-man tactics. But I've learned a lot over these past three years, and I'm fairly satisfied with just getting on the radar screen. Much more needs to be done if the dangers the article warned about are to be avoided and the promise of public journalism redeemed. The whole thing could peter out, blow up, or dissolve into mediocrity. I do hope, however, that the journalism reviews will do more than "on the one hand, on the other hand" reporting as we move along. It was that kind of reporting — refusing to correct a false paraphrase — that helped the debate get off track in the first place.

JAY ROSEN
New York, N.Y.

WHY HE DIDN'T STICK

I was surprised and disappointed to read Steve Franklin's assertion that "Doron Levin, a *Free Press* business columnist, who went back to work after three weeks, announced upon his return that he no longer needed a union" ("Detroit: Which Side Are You On?" CJR, November/December).

First of all, the assertion is untrue. I never

said that, and it wasn't my reason for returning to work. Second, I explained my reasons for returning to work, at length and in detail, to Steve Franklin and later to someone who identified herself as a fact-checker from CJR. (The assertion is almost identical to a phrase used in a *Boston Globe* story about the strike, which was similarly inaccurate. Could it have been accidentally lifted?)

For the record, I publicly stated my opposition to a strike before the walkout. I resigned the union and returned to work because, as a journalist who has spent his professional life reporting and writing, I will not be a party to the attempted destruction of a newspaper. I announced my position to my colleagues at a meeting of The Newspaper Guild in August.

DORON LEVIN
Detroit, Mich.

Steve Franklin replies: *I too am surprised — by Levin's letter.*

We talked just after his return to work and spoke again later. Let me quote from my notes of a telephone conversation with him:

"When I came here it was the third time I had joined a union in a fashion that suggested that joining a union was a price for getting a job. I am not going to do that again. I hope that when everything is over here, it will be an open shop and I will have a chance to negotiate for myself. Maybe unions are for people who don't negotiate for themselves. I don't want to feel I have to join a union as a price for getting a job. The question for me is, if you are a journalist, do you need to belong to a union, and the answer is no."

ARTFUL CRITICISM

The Dart to *The Boston Globe* (for "less-than-museum-quality journalism," CJR, November/December) contained several factual errors. Christine Temin did not go to New York as a favor for the Museum of Fine Art, she was on assignment to do a story about the MFA from an unusual vantage point. She did not represent herself at the Sotheby's auction she attended as anyone other than Christine Temin. Finally, the



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winners of the auction were not in the room, they made their bids by telephone.

Whether we should have pursued this type of story in the particular manner we did is certainly worthy of discussion by a journalism review. But the tale you wove just isn't true.

MARY JANE WILKINSON
Assistant managing editor/features
The Boston Globe
Boston, Mass.

The editors reply: *The Dart* was based entirely on Temin's own account as published in the July 2 *Globe*. According to that account, the museum, hoping to keep its interest in the auction secret and thus keep down the price, was looking for someone unknown to the other parties to act in its behalf, and Temin obligingly took the role of what she called a "plant," following the museum's instructions on every move from the use of the paddle and a "secret finger wiggle" to the \$62,000 limit on her bids. *The Dart* did not say that she used an assumed name (although, in fact, Temin did say that at one point she used her maiden name), nor did it mention the whereabouts of the representatives of the two other museums whose bids won out. Although in a followup piece in the November 17 Boston Phoenix Temin was reported as being "perplexed" by the *Dart*, the *Globe's* top editor, Matthew Storrin, was not. Temin violated *Globe* policy by "participating in the story," Storrin told the Phoenix. "In effect she was doing a favor — not a huge favor, but a favor — for an institution she covers."

VACUUM-PACKED HERO?

CJR's handling of the Harry Wu story ("Back to the Gulag," CJR, September/October) struck this reader as a rehash of widely available information, a rehash cast as a special CJR tribute.

CJR's hyping of the Wu piece did it a disservice; using two full-page photos of the same person — one on the cover, the other on the opening spread — didn't help either. The redundancy seemed all the stranger because of the ironic overtones resonating off a cover line that read "Pictures That Harry Wu Risked His Life to Get." The implication was that he had risked his life to bring back a self-portrait, among other pictures.

Meanwhile, though the cover line played up the importance of the pictures, the layout shrank all but one of the documentary pictures — most of which were lifted from a 60 Minutes segment — to postage-stamp size. (When was the segment aired? The article does not say.)

Harry Wu's bravery and commitment are beyond question. His qualifications as a journalist — his willingness and/or ability to provide context and perspective, to make distinctions between what happens in Chinese institutions and what is done with the central government's knowledge and approval, for example — should surely remain open to question. And a watchdog magazine like CJR should surely ask whether there are risks involved in a news organization's relying on the reporting of an openly partisan journalist or "surrogate journalist," as the authors inventively call Wu.

At the very least, having made the decision to run the article, the editors should have urged the authors to seek comment about Wu from more than a single source. As it is, we hear only from Ed Bradley, the 60 Minutes correspondent who accompanied Wu on Wu's second (undated) trip to China to obtain the footage aired on the award-winning segment.

What CJR gave us was a hero in a vacuum.

JON SWAN
Lalitpur, Nepal

Swan is CJR's former senior editor.

AN EARLY VALENTINE

This is just a note to compliment you on your November/December issue. I believe CJR covers the profession of journalism the way the rest of journalism should cover society. That is, without fear or favor, without sucking up to a particular interest group, be it an advertiser or a corporation, and at the same time, without being negative simply for negativity's sake.

ALEX MARSHALL
Norfolk, Va.

CLARIFICATION

A Dart in the November/December issue to The Seattle Times — for offering to back off an open-records lawsuit against the University of Washington if the university would release to the paper its list of presidential finalists twenty-four hours before making it public — should not be construed as suggesting that the offer was made after the paper had actually gone to court. According to editor Michael Fancher, the offer was made during preliminary discussions in which the university was telling the Times that while it could not meet its request for records pertaining to the presidential search, it was hoping to avoid a lawsuit. Nor should the *Dart* be construed as criticizing the paper's larger — and laudable — effort to keep public bodies from deliberating behind closed doors. ♦

WHOWHATWHENWHEREWHY

Once the province of royal scandal and Elvis sightings, television's syndicated tabloid news shows are sporting a new look. The gossip quotient is down at shows like *Inside Edition*, *American Journal*, and *A Current Affair*, and investigative journalism is up. While the tactics of tabloid television — parking-lot ambushes and hidden cameras — haven't changed, the targets have. The shows are digging up consumer fraud and rooting out political misdeeds with the same zeal they once applied to stories about topless donut shops and Joey Buttafuoco.

The shows, scattered across TV's syndicated landscape five evenings a week, playing to an estimated audience of more than twenty million in the early hours leading up to and including prime time, still include the Hollywood prattle proffered by *Extra* and *Entertainment Tonight* and the entertainment-and-sensation recipe of Viacom's *Hard Copy*. *Hard Copy*, in fact, with a heavy investment in the O.J. story, won the tabloid ratings race last year.

But the other tabloid news shows have begun opting for more sober, in-depth reporting. King World's *Inside Edition* has always had investigative pieces, but in re-

the tv tabs' new tone



cent years it has had more of them, and the pieces have had more impact. Meanwhile, Twentieth Television, owned by Rupert Murdoch's News Corporation, has taken its *Current Affair* in a similar direction with a complete overhaul this year.

One reason for this is that advertisers are increasingly looking beyond pure ratings numbers to just who is watching. A mix of higher-quality stories tends to mean better demographics. Instead of asking who has the most viewers, "The question now is, can this particular show deliver women aged eighteen to thirty-four, or will another show give us men twenty-five to fifty-four who make more than \$75,000 a year," says David Bartlett, president

of the Radio and Television News Directors Association. "What we're seeing here is a shake-out period for a lot of these programs. They've got to improve the program in the eyes of the target audience."

Behind the scenes in this effort are two tabloid veterans, producers Bob Young and John Tomlin, who worked on *A Current Affair* when it began life in 1986 as the original TV tab. In 1988 Young

and Tomlin jumped ship to launch the rival *Inside Edition*, envisioning an "up-market" tab (the original anchor was David Frost). The show has steadily beefed up its investigative presence, especially in consumer reporting, looking, for example, into safety problems at U-Haul, food inspection, and insurance fraud. King World's other tab, *American Journal*, has reported on fast-food health violations and adulterated beef in the nation's supermarkets, among other stories.

One of the biggest victims of this investigative streak has been Chrysler Corp. A series of *Inside Edition* stories illustrated why the National Highway Traf-

fic Safety Administration (NHTSA) had been investigating a flaw in the rear-door latch that caused the liftgates of Town and Country, Dodge Caravan, and Plymouth Voyager minivans to open in collisions in which thirty-seven people have died in the last decade. *Inside Edition*'s Steve Wilson first reported the story in January 1995. When Chrysler preempted a Safety Administration finding (and a possible recall) in March by instigating a replacement program, Wilson showed the new latch to be inadequate, too. The federal agency continued its investigation and has since raised its standards for minivan rear-door latches.

But the story didn't end there. Last summer, producers Young and Tomlin moved back to *A Current Affair*, and they brought the Chrysler story with them. This time, they focused on the public relations firm, Maritz, that was answering questions from concerned minivan owners. An undercover camera revealed operators telling hotline callers that there were no safety problems with the minivan's latch, contrary to established facts. When officials of the government agency learned of the segment, they issued a strong rebuke to Chrysler, saying "NHTSA at no time found the latches to be safe."

A Current Affair began remaking its image after finishing a distant third in the ratings race last year. The re-

vamping started with a new anchor, Jon Scott (who was lured away from *Dateline NBC*), twenty new investigative staff members, a new Washington bureau, and a \$4 million marketing campaign. A

commercial, in which a dump truck rumbles through a suburban neighborhood and then winds up plunging off a cliff, explained the approach: "We took out the trash." A *Current Affair* even changed its "bug," or logo, in the corner of the screen, to prevent viewers from mistaking the new show for the old. "If the old *Current Affair* was synonymous with sleaze," says Young, "we'd rather they just saw the content." The show's first segment of the new season was about an all-expenses-paid charity golf vacation for members of Congress in Sun Valley, Idaho, where corporations paid thousands of dollars for the right to bend a legislator's ear on the links. In *Inside Edition*'s "Senators' Ski Cup," reporter Wilson is called a "horse's ass" by a discomfited Missouri Senator Christopher "Kit" Bond, who is seen skiing the slopes of Park City, Utah, free of charge alongside corporate sponsors from American Express, USWest, and Delta. The style of the piece — which opens to the strains of "Chariots of Fire" — is an

odd intersection of Michael Moore's "Roger and Me" and ABC World News Tonight's "Your Money" segments.

In fact, that intersection is emblematic of the middle ground emerging between

soundbite

"I cannot articulate the combination of sadness and disbelief that washed over me when these men would accurately describe the soccer field I visited in Nova Kasaba and then go on to talk about 1,000 people being gunned down. I kept asking them more and more detailed questions about Nova Kasaba, hoping they would get things wrong, but they didn't. These people aren't lying."

David Rhode, the *Christian Science Monitor* correspondent who discovered a mass grave of Muslims near Srebrenica in August, in an e-mail message to a friend. In October, Rhode was captured at gunpoint and held for ten days by the Bosnian Serbs.

the tabs and the network news magazines. Rosemary Armao, executive director of Investigative Reporters and Editors, is one who doesn't see "a great dividing wall" between the tabloids and the "so-called 'legitimate' journalism" of the networks. "If you cut out the alien landings and the check-book journalism, is it so different?" Actually, *Inside Edition*'s investigative unit doesn't pay for interviews; the new *Current Affair* will shy away from the practice and will say so when it does pay.

Jacquee Petchel, a senior producer for investigations at WCCO-TV, a CBS-owned and operated station in Minneapolis, says the distinction in the eyes of the viewer between tabloid and mainstream is largely illusory, anyway. "Viewers remember what they saw, not where they saw it," she says. "When people criticize a story that's shoddily done, it reflects on all of us. Whenever somebody attempts to do a better job, it's good for all of us."

Frank Houston

Houston is an assistant editor at CJR.

new hampshire: steering away from strategy stories

Seven people face Senator Arlen Specter in a polite half-circle of chairs in a meeting room at the University of New Hampshire. They include a nurse, an electrical engineer, a retired cooperative extension educator, a college student, and a secretary. For an hour and a half they ask the candidate from Pennsylvania about the economy, education, health care, abortion, and taxes, while, beyond the circle, a half-dozen reporters, a professional p.r. person, and a handful of others watch. After the discussion, the reporters crowd around the questioners — not the candidate.

This was the first in a series of citizen/candidate forums organized, not by the League of Women Voters or any other traditional civic organization, but by a consortium of New Hampshire media. Voters' Voice — made up of the New Hampshire Associated Press, New Hampshire public radio and public television, and *The Telegraph* of Nashua — was formed to refocus coverage of the first-in-the-nation presidential primary on a voters' agenda rather than one set by the media and campaign strategists.

"Many of us have been disgusted for years with press coverage of political campaigns, feeling it didn't do a very good job of providing voters with what they need to know," says Joe Magruder, news editor for The Associated Press's Northern New England bureau in Concord.

Voters' Voice is one of six projects partially funded by the Citizens Election Project

of the Washington, D.C.-based Pew Center for Civic Journalism. The other five — in California, Florida, Boston, and two in Iowa — also involve both print and broadcast media. The project's executive director, Stanley Cloud, a former Washington bureau chief for *Time* magazine, declined to say how much money was involved in the overall program, but Erik Nycklemoe, program director of New Hampshire Public Radio, confirmed that the New Hampshire project received \$22,000 from the Citizen's Election Project for polling and a part-time coordinator. In addition, the project gave New Hampshire Public Radio another \$13,000 to expand its election coverage. It also provides Voters' Voice with the services of the Harvard Group, to run citizen focus groups, and Neuman and Company to help with public relations. The partners put in substantial amounts of their own money as well.

Voters' Voice partners tend to shy away from calling their project "civic journalism," despite its connection with Pew (see "Are You Now, or Will You Ever Be, a Civic Journalist?" CJR, September/October). "It's a citizen-oriented journalism project," says Nycklemoe. "We're not dropping a focus on campaigns; we're adding a citizen perspective." Nick Pappas, city editor and election coverage coordinator for *The Telegraph*, calls it voter-driven coverage. John Wackman, executive producer of NH Public Television, sees it as a "mission" to help restore

Trademark Checklist



This annual Trademark Checklist is a handy guide to some of the best known trademarks. More than 700,000 trademarks currently are federally registered. Compiled by the International Trademark Association, the Trademark Checklist correctly lists over 4,000 trademarks and service marks with their generic terms.

AC spark plugs, filters
Ace elastic bandages
Accutane Dermatological preparation/isotretinoin
Adobe computer software
Adrenaline hemostatic preparation/epinephrine
Advil analgesic/ibuprofen
After Eight confectionery
Air Jordan footwear and athletic clothing
Alka-Seltzer antacid analgesic tablets
Apple computers
Arm & Hammer baking soda, laundry detergent
Armor All multi-purpose protectant
Baccarat crystal
Bac-Os imitation bacon bits
Baggies plastic bags
Bake-Off cooking and baking contests
Ball Park franks
Band-Aid adhesive bandages
Bayer aspirin (Note: Aspirin is a trade mark in some countries, e.g. Canada)
Beefeater gin
Bell telecommunications services
Bic pens, cigarette lighters
Big Mac hamburger sandwiches
Bon Bons ice cream
Boogie surfboards
Bran Buds cereal
Breathalyzer alcoholic content measuring apparatus
Brillo soaps, scouring pads
Calvin Coolers wine coolers
Care Free chewing gum
Carrera automobiles by Porsche
Cat Chow pet food by Purina
Champion clothing
Chap Stick lip balm
Cheez Doodles cheese-flavored cornpuffs

Chiclets chewing gum
Chiquita fresh fruit, fruit juices
Chris-Craft boats
Chunky candy bars
Cibachrome photographic chemicals
Cinch-Sak plastic bags
Cinn*A*Burst chewing gum
Citibank banking services
Claymation animated motion picture services
Cliff Notes study guides
Clorox bleach detergents, cleaners
Coffee-Mate non-dairy coffee creamer
Colorization film conversion services
Cool Whip dessert topping
Courvoisier cognac
Cracker Jack candied popcorn
Crantastic fruit punch
Crayola crayons
Cybox weight lifting equipment
Cyclone chain link fences
Dairypak milk and beverage cartons
Day-Glo daylight fluorescent colors
DeskJet printers
DHL courier services
Dictaphone voice processing products
Dippity-Do hair fixative
Discman portable disc players
Disposal food waste disposer
Donzi boats
Dramamine motion sickness preparation
Drano drain opener
Drygas gasoline additive
Dunkin' Donuts doughnuts, restaurants
Duracell batteries
Dustbuster portable vacuums
Easy Bake toy ovens
Easy Spirit shoes
Ektachrome film
Electrolux vacuum cleaners and parts

Elmer's adhesives
Express Mail overnight and international delivery services
Fantastik spray cleaner
FedEx overnight and international delivery services
Fiberglass yarns, fibers, insulation
Fig Newtons cookies
Filofax diaries, agenda books
Foamy shave creams
Flexible Flyer sleds
Frigidaire appliances
Frisbee flying discs
Frozfruit frozen confections
Fudgsicle fudge pops
Gap clothing
Gatorade thirst quencher
Get A Piece of the Rock insurance and financial services
Ginsu knives
GM motor vehicles
Godiva confectionery goods
Goobers chocolate covered peanuts
Gore-Tex Water-repellent fabric, outerwear
Grand Ole Opry country music program
Gummi Bears cartoon characters
Hamburger Helper main meal mixes
Handi-Wrap plastic film
Hanes underwear, hosiery, activewear
Harley-Davidson motorcycles
Hawaiian Punch fruit flavored beverages
Healthy Request soup
Hefty plastic bags & plates
Heimlich Maneuver anti-choking educational services
Hi-Liter highlighting markers
Hobie Cat sailboats
Hula Hoop plastic hoops
Hush Puppies footwear
IKEA furniture
Interplak plaque removal instrument
Izod apparel
Jack Daniel's Tennessee whiskey

The Trademark Checklist is a quick reference to help people in communications use trademarks accurately. Here are a few important usage guidelines that will help prevent letters of complaint from trademark owners:

- Trademarks are proper adjectives and should be capitalized and followed by a generic noun or phrase
- Trademarks should not be pluralized
- Trademarks should not be used in the possessive form
- Trademarks are never verbs

Jacuzzi whirlpool baths	Nosalt salt substitute	Sealy mattresses and box springs
Jams shorts, swim trunks	NosKote sun protection coating	Seeing Eye dog guides
Jazzercise dance exercise services	Novacain local anesthetic	Shake 'n Bake coating mixes
Jeep all-terrain vehicles	Nu Skin personal care products	Sheetrock plaster wall board
Jell-O gelatin, pudding	NutraSweet sweetener	Ski-Doo snowmobiles
Jiffy mail bags	NYNEX telecommunications services, equipment, and software	SmartLease vehicle leasing services
Jockey underwear	NyQuil cold medicine	Softsoap liquid soap
Kibbles'N' Bits dog food	OFF! insect repellent	Spirograph design toy
Kit Kat candy bars	Oscar motion picture awards	StairMaster exercise equipment
Kitty Litter cat box filler	Ouija talking board sets	Sterno cooking fuel
Klear floor wax	Pampers disposable diapers	Street Slammer athletic footwear & apparel
Kleenex tissues, napkins, disposable diapers	Para-Sail parachutes	Stri-Dex facial cleanser
Ko-Rec-Type correction fluid	Pendaflex file folders	Supergrip adhesive cement
Krazy Glue adhesives	Pennzoil petroleum products	Tab beverage
La Corona cigars	Pennsy Pinkie rubber balls	Tabasco pepper sauce
LaserJet printers	Philip Morris tobacco products	Technicolor motion picture processing services
Land Cruiser all-terrain vehicles by Toyota	Photostat copiers	Teflon fluorocarbon resins, non-stick coatings
Land Rover all-terrain vehicles	Pillsbury cake mixes	The California Raisins characters
Lark luggage	Ping-Pong table tennis equipment	Thinsulate thermal insulation
Lava lamps	Plasticine modeling compound	Tiffany jewelry, crystal, silverware
Lay's potato chips	Play-Doh modeling compound	Tiger Balm analgesic ointment
Levi's jeans, sportswear	Plexiglas acrylic plastic	Tofutti tofu-based food products
Lexis computer-assisted research services	Plug-Ins air fresheners	Toll-House chocolate morsels
La-Z-Boy recliners	Polaroid cameras, film	Top-Sider deck shoes by Sperry
Liquid Paper correction fluid	Popsicle flavored ices	Triscuit crackers
Lotus 1-2-3 computer software	Pop Tarts toaster pastry	Trojan condoms and personal lubricants
Lucite acrylic resin, paints	Portacrib portable cribs	Tums antacid tablets
Lycra spandex fibers	Post-It note pads, self-stick notes	U-Haul truck rental services
Lysol disinfectant sprays & cleaners	Pyrex glassware	Ultrasuede fabric
Mace tear gas	Q-Tips cotton swabs & balls	Universal weight lifting equipment
Mallomar cookies	Quality Paperback Book Club book club services	V8 vegetable juice
Mary Jane shoes, boots	Quick-Grip bar clamps	Vaseline petroleum jelly, lip balm, skin lotion
MasterCard credit card services	Range Rover all-terrain vehicles	Velcro hook & loop fasteners
Matchbox miniature die-cast toy vehicles	Raisinets chocolate covered raisins	Versa Climber exercise equipment
Medic Alert bracelets, medical information services	Ray-Ban sunglasses	Vise-Grip tools, clamps
Mercurochrome antiseptic	Recycler mulching lawnmowers	Walkman portable stereos by Sony
Microsoft computer software	Reddi Whip whipped topping	Weed Eater lawn trimmers
Milk Duds candy	Reynolds Wrap aluminum foil	Weight Watchers food products, weight reduction centers
Miracle-Gro plant food	Ritz crackers	What's Up Doc? slogan
Moët & Chandon champagne	Roach Motel insect traps	Windex glass cleaner
Mont Blanc writing instruments	Rolaids antacid tablets	Windsurfer sailboards
Mr. Clean all-purpose cleaner	Rolex watches	Winnebago motor homes
Mylar polyester film	Rollerblade in-line skates	Wite-Out correction fluid
Naugahyde plastic coated fabrics	Rolodex rotary card files	WordPerfect word processing software
Nautilus weight lifting equipment	Roughneck receptacles, toolboxes, news paper bundler, step stools, storage containers	World Series championship baseball games
Naval Jelly rust remover	Salty Dog apparel	X-Acto knives
Nescafé instant coffee	Sanforized preshrunk fabric	Xanax sedative/alprazolam tablets
Nestlé chocolate	Sanka decaffeinated coffee	Xerox photocopiers, copies, computer systems
Nexis computer-assisted research services	Scotch transparent tape	Yoplait yogurt
Nikon cameras	Scotchguard fabric protector	Ziploc resealable bags
Nintendo video game hardware, software & accessories	ScotTowels paper towels	Zippo cigarette lighters
No-Doz drowsiness relief tablets	Sea & Ski suntan lotion	
Nordic Track cross-country ski exerciser		

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democracy. Magruder says it doesn't need a label; "it's just good journalism."

Whatever it's called, Voters' Voice and other Citizens Election Project partnerships use professional polls to determine voters' concerns and professionally run focus groups to gauge the depth of those concerns. Voters' Voice also analyzes the campaign materials to produce "apples-to-apples" comparisons of top candidates' stands on issues. In addition to several candidate forums, involving people who had been contacted during the poll, the project is hosting a series of call-in TV and radio broadcasts with candidates. More important, every part of the project so far has received in-depth, well-played coverage by the Voters' Voice members. In the case of the AP, many of these project-generated stories have run on the "A," or top national, wire.

Changing the mindset of editors and reporters about campaign coverage — getting them to break old habits — is the most important and

His goal for Voters' Voice is to make "good stories" — those focusing on issues voters said they care about — a bigger piece of the coverage



toughest part of the project, according to Magruder and other partners. "All journalists have very weak will when it comes to resisting temptation of the horse-race poll, the attack by candidate A against candidate B, the insider stuff," says Magruder.

pie, with less emphasis on "bad stories" — those on the workings of the campaigns, the popularity polls, the pundit-quoting assessments, and the mudslinging.

For instance, the AP passed on covering Phil Gramm's criticism of use of out-of-state

volunteers for a big Dole campaign leafleting last fall. Instead, it had one reporter out talking with residents of nursing homes about Medicare and another working on a story about college-age voters.

But each partner covers the primary as it sees fit. "I've always liked the strategy stories — reading them and assigning them," says *The Telegraph's* Pappas. "If we go to a news conference and a candidate whacks the other one up the side of his head for twenty minutes, we're going to cover it and give it reasonable play."

But how "reasonable play" is defined might be changing, Pappas says. Such a story might end up in political briefs rather than on the front page.

C.W. Wolff

Wolff, a former AP reporter, is a free-lance editor and writer based near Portsmouth, New Hampshire.

Everyday, irregardless of his homework, Jeffrey went "rollerblading" because it was to nice to lay around with his nose in a english book.

Of the 7 errors in this headline, "rollerblading" as a verb strikes us as most extreme. Other common misuses of the Rollerblade brand name include "rollerblades, rollerbladgers, blades, bladgers and blading." Remember, the careful writer skates on in-line skates known as Rollerblade® skates.

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all the news that's fit to re-print: writers vs. the times

"You've been hearing lately about the new electronic journalism that we are entering into." So begins a memo from management to department heads and section editors at *The New York Times*. With the policies the memo outlines, the newspaper is throwing a haymaker in the ongoing fight over the issue of who owns the electronic rights to free-lance material.

Although publishers generally have policies that give free-lance writers secondary publishing rights, many of them have been reluctant to apply those guidelines to material that is uploaded into an electronic database. Since a

lot of money may eventually be at stake, writers have tended to see this as a land grab. "Once publishers realized there was no precedent in this," says Warren Strugatch, a Long Island-based free-lancer, "they began working to destroy the continuity between traditional laws and the new cyberspace realities."

In December 1993, before there was any stated policy, the *Times* found itself named as a defendant in a suit filed by the National Writers Union (see "Database Dollars: Follow-up," *CJR*, March/April 1994). The union is trying to prevent publishers and data companies from uploading stories

by free-lancers without compensating them.

But in the July memorandum, which was obtained by *CJR*, the *Times* seems to be trying an end run around the lawsuit. Its new policy, which has the endorsement of publisher Arthur Sulzberger, Jr., and executive editor Joseph Lelyveld, would require many of its free-lance writers to sign over all reproduction rights to their work. (Several sections, including the magazine and the op-ed page, are exempt.) The memo was blunt: "The paper's position on this is unambiguous: if someone does not sign an agreement, he or she will no longer be published in the newspaper."

The new policy immediately met resistance from the writing community. The National Writers Union, the American Society of Journalists & Authors, and the Authors Guild sent a statement

of protest to *Times* editors and department heads. The letter, originally signed by thirteen prominent writers, has since gathered several hundred signatures, including those of some regular *Times* contributors, like Christopher Gray, Vicki Goldberg, and James Gleick. The writers' groups are also setting up mechanisms to help willing publishers distribute royalty payments to free-lancers when work is resold to databases.

So far, the *Times* has responded with some concessions — granting some section editors the right to exempt important contributors from the policy. But a number of writers have submitted. "Approximately six hundred contracts have been signed and we're still counting, and only a handful have been refused," says Nancy Nielsen, a spokesperson for the *Times*. "We view this as a good response."

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The *Times's* stature makes its new policy important, but it is hardly the only newspaper involved in this struggle. Others — including the *Los Angeles Times*, the *Chicago Tribune*, and all thirty-two Knight-Ridder dailies — have also begun circulating contracts to their free-lancers in the interest of retaining some measure of secondary publishing rights.

Dan Grunfeld

Grunfeld is an intern at CJR.

cuba: seeds of a free press

Ever since the Cuban revolution thirty-six years ago the Castro government has viewed the press as its mouthpiece. But that notion is being challenged by a group of out-of-work, independent journalists who were fired from their official jobs because of irreverent thinking about the revolution and its future.

They have begun to market stories in the United States and Europe about their nation via the Independent Press Bureau of Cuba (BPIC), a sort of clearing-house that was founded by the journalist Yndamiro Restano, who was recently released from prison.

Independent journalism, even for overseas audiences, remains a dangerous task. In October, Olanec Nogueras, a twenty-seven-year-old reporter working for the BPIC, was detained four times, placed under house arrest, and threatened with prison for spreading news that allegedly undermined "international peace." Nogueras's offense was writing a story that was distributed broadly by

BPIC on the potential for leaks and other safety problems at Cuba's Juraguas nuclear plant. Nogueras was told to leave the country or face prosecution. He refused, and his colleagues fear that his case will be used as a test by the government as it attempts to control them.

Still, Restano maintains that Castro has given independent journalism some room to operate. "It is very small, but we must keep it open," he says. One thing that has changed, despite the danger, is the building of an esprit de corps among the journalists. In recent months they have formed or revitalized, in an effort to create a semblance of a free press, loosely organized small journalism groups with names like Havana Press and Cuba Press. And throughout the Nogueras episode, for exam-



ple, Rafael Solano, who runs Havana Press, continued filing stories through the BPIC about Nogueras's situation. (Solano had been at the pinnacle of Cuban journalism, writing news for Cuba's most important radio station, when he was fired early this year.)

Restano's release from prison last June was the catalyst for the new solidarity among independent Cuban journalists. Back in 1985, Restano had challenged the

concept of state-controlled media and was banished from official journalism. Forced to work menial jobs, he went on to found Cuba's first non-official journalism organization in 1987. He later founded a human rights movement seeking peaceful political change and was sentenced to prison for distributing information about it. A campaign by the Committee to Protect Journalists and other press-

freedom organizations and the direct intercession of Madame Danielle Mitterrand, wife of France's former president, led to his release. Afterwards, Restano traveled in Europe and Latin America and found great interest in the little-known world of dissident Cuban journalists. At the annual meeting of the Inter American Press Association on October 15, leading Latin American and U.S. publishers accepted the journalists' application for membership. Several IAPA members have since published articles by the dissidents. "We believe that our support for their cause at this moment is elementary for their future survival," says David Lawrence, Jr., publisher of *The Miami Herald* and the new president of IAPA.

Restano and his colleagues hope that eventually they will be able to launch an independent radio station or newspaper inside Cuba. "That's the goal that keeps us going," he says. Cubans in general have lost respect for state news, but the alternatives are generally not politically independent either. Most of the population listens to Miami radio stations, which are often owned or operated by hard-line



James M. Naughton, left and right, the serious, highly regarded executive editor of *The Philadelphia Inquirer* (and a notorious prankster) dressed for the occasion November 29 when he told the paper's staff that he was resigning. The dinosaur duds, says Naughton, 57, were "something to hide in" at an emotional moment. Was it also a statement? "I wanted to say I don't think I'm a dinosaur and I don't think what we do for a living is dinosaur, and the people who think so are wrong."

Cuban exiles. Even the U.S. government-sponsored Radio Marti has as its chairman Jorge Mas Canosa, the controversial Cuban exile who opposes any opening to Cuba while Castro is in power.

Can an independent press project survive in Cuba? Restano and his colleagues believe so. "It is the only way we can help change our system from an authoritarian government to a democratic one, without violence," he says. "A free press could help keep the good things the revolution brought to our society and get rid of the bad ones."

Ana Arana

Arana, a free-lance writer, is the former program coordinator for the Americas for the Committee to Protect Journalists. The committee has been helping Cuban journalists set up the Press Bureau of Cuba.

playing god in the newsroom

After doctors discovered that twenty-seven-year-old Caroline Tomasulo had leukemia and would need a bone marrow transplant to survive, her mother, Caroline Russo, began working feverishly to raise the \$100,000 necessary for the treatment and aftercare that was not covered by insurance. To bring the public's attention to her daughter's desperate plight, Russo has spent more than a year trying to get the attention of the media.

But the Toms River, New Jersey, resident has had little success. No television or radio stations have provided coverage and only a handful of local newspapers have done

stories. As a result, Russo has been forced to raise all the money through raffles and storefront canisters, and she remains some \$50,000 short. "To be honest, I've been shocked that the media have not paid very much attention to my daughter's situation," Russo says. "It would seem to be the perfect story for them."

Her frustration comes as no surprise to David Cain, founder of the Children's Organ Trans-

soundbite

"Look at the covers of [Time and Newsweek]. Which interpretation was rooted in what actually happened? Both. Which was newsworthy? Both. But which magazine best captured why the overwhelming majority of men actually came to Washington? Which interpretation will foster racial healing? I say Time. It all turned on markedly different interpretations of which was the predominant reality and which was the newsworthy reality."

Hugh B. Price, president of the National Urban League, commenting in a National Press Club speech on coverage of the Million Man March. Newsweek's cover focused on the march's controversial leaders, Time's on its participants.

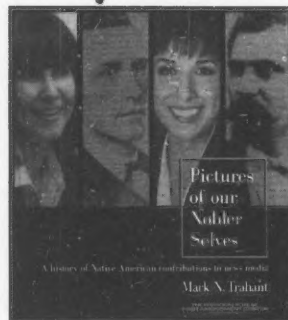
plant Association (COTA), who travels across the U.S. helping patients, including Caroline Russo, raise money for transplants and other life-saving medical procedures. Media coverage can be the difference between life and death, says Cain, but who gets that coverage and who doesn't is kind of a crap shoot. Editors, reporters, and columnists around the country say that making such

Native Americans have a strong tradition of sharing stories. From serving as the messengers of early tribal societies to reporting on major stories on network news, their influence on journalism is significant. But Native Americans' presence in newsrooms—both tribal and mainstream—must increase if America is to have an accurate and sensitive picture of different cultures in the U.S.A., according to Mark Trahan, author of *Pictures of Our Nobler Selves*.

Trahan, a member of Idaho's Shoshone-Bannock Tribe and a visiting professional scholar at The Freedom Forum First Amendment Center, uncovers forgotten journalism history—from Elias Boudinot, who in 1827 became the founding editor of *The Cherokee Phoenix*, to Hattie Kauffman, who in 1989 became the first American Indian to report a news story on national television.

Trahan chronicles the history of these Native American role models and writes of the need for "the day-to-day newsroom presence of native journalists whose stories can change the very image of Indian Country and help readers and viewers understand those who 'live the life.'"

America's first storytellers



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choices is an inexact science involving news judgment, timing, and luck, as well as the persistence of patients and their friends and relatives.

A few media outlets, such as the *Star Tribune* in Minneapolis, have informal policies against covering individual need cases, preferring not to have to choose between similarly desperate patients, according to science editor Gordon Slovut. At the other end of the spectrum, COTA's David Cain agrees that the press should not have to choose, but argues instead that patients in need of money for life-saving surgery should always get coverage.

Most news organizations end up in between, making the hard choices. "You could start a cable channel with just the people in desperate need we're asked to cover," says Al Macias, assignment manager at KNXV-TV in

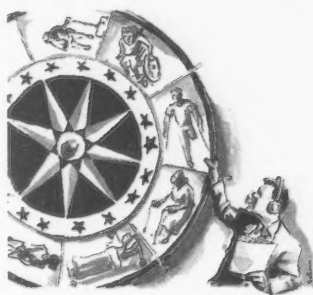
Phoenix. "There is no comfort level for me on this question. If your solution is to do none of them, I'm not so comfortable; if it's to do all of them, I'm not so comfortable; and if it's just to do some of them like we do here, I'm not so comfortable with that either. But I think it's the best policy."

"I'd like to do a hundred stories on every one of these people," says Steve Gasque, a reporter with Atlanta's WSB-TV, "but then I would be neglecting the other stories that are important to the news fabric of this community."

Nationally syndicated *Chicago Tribune* columnist Bob Greene, who receives dozens of these requests every year, says, "There is no correct answer to these requests other than 'yes, I'll write about it.' But the reality is

that you can't do very many of them. It is a terrible lottery for media coverage that people are forced to enter."

Arizona Republic columnist E.J. Montini notes that every time he writes about one case,



he receives many more pleas. "I can tell you it's just horrible to have to explain to a mom or a dad that you can't write about their dying kid," he says, "because you just wrote about another kid with

the same disease."

Most editors say they make the call based on the story's newsworthiness, like any other editorial decision. The *Atlanta Journal and Constitution* is typical. "We'll cover the story if we can find a special medical angle or a deeply human element," says metro editor Mike King, who has been covering such stories since the early 1980s when he was a science and medicine writer. If the case involves a new medical procedure, a broader health trend, or an important ethical, legal, or political issue, it is more likely to be deemed newsworthy.

Occasionally, he admits, cases not meeting those criteria find their way into the paper, and the "deeply human element" standard can evolve depending on the timing (has one of these stories run recently? how busy is the news day?), the patient profile (is it

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The winners in 1995 for reporting that occurred in 1994 were:

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Mike Hudson
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Jane Bryant Quinn
Newsweek

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a cute young child?), the promotional skills of the patient's supporters (enlisting a celebrity, developing a unique fundraising stunt) or even the tenacity of those pitching the stories. King feels comfortable deciding each instance individually since "it is an editor's job to determine what's news for the paper's readers."

King makes an appeal of his own, for editorial context. He believes the press has a responsibility to explain why these dramatic fundraising appeals are necessary, that society has yet to come to grips with the cost and access issues surrounding lifesaving medicine.

Deni Elliott, professor of ethics at the University of Montana, who has produced two documentaries on this topic, adds that it is important to mention that even if money is raised for one pa-

tient, many others in the community are not helped, and are dying. "The media's coverage often leads the public to believe that these desperate pleas are unique, but unfortunately they are very common," she says.

The *Arizona Republic's* Bill Hart summed up the feelings of many journalists on this difficult topic in a June 6, 1993, column that began: "Should I be the one to choose whether you live or die?" Hart described the different options available to the media in dealing with these requests — including the possibility of just picking them by lottery — before eventually concluding that maybe "this is one of those instances where simple humanity dictates that we continue to fumble along as best we can."

John Solomon

Solomon is a New York-based free-lance journalist.

can the paperless magazine make it?

Starting a national magazine has always been an expensive venture. Most mainstream magazines rack up \$10 million to \$15 million in costs by the time they break even, which usually takes years, if it happens at all; most magazines, in fact, fail before they earn back their investments. We're soon going to find out if technology is improving the odds.

The explosion of interest in the Internet's World Wide Web is providing would-be publishers with cheaper options. Even as hundreds of print publications establish Web sites that are little more than repositories for recycled print articles, and as

hobbyists establish thousands of small-scale zines, a handful of editorial entrepreneurs are trying to establish real for-profit publications on-line. They are trading print and its attendant financial uncertainties, like fluctuations in paper costs, for the uncertainties of the Web.

"It would never even have occurred to me to start a non-Web publication, simply because it would have been way too expensive," says Steven Johnson, twenty-seven, the co-founder and editor-in-chief of *Feed*, which made its debut on the Web in mid-May — three months after Johnson wrote up a proposal. With its sim-

betrayal by JUBS EATTE

"OFF THE RECORD," HE SAYS. "YOU GOT IT," I ASSURE HIM.



"IT'S MY NECK IF THEY FIND OUT I'M YOUR SOURCE," HE SAYS. "I'LL PROTECT YOU," I PROMISE HIM.



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AM I TICKED OFF?



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ple, elegant design, and with such regular features as hypertext-enhanced discussions among cultural critics and hypertext-annotated versions of documents like "The Magna Carta for the Knowledge Age" (which was produced by Newt Gingrich's think tank), *Feed* is sort of like a plugged-in version of *Harper's Magazine*. Its only permanent full-time employees at this point are Johnson, who in addition to his duties as editor-in-chief also does the magazine's graphic design and a lot of the programming, and co-founder and editor Stefanie Syman. Partly because of the small size of its staff, the magazine was able to spend less than \$100,000 — most of which came from Johnson's family — in its first six months, and most of that money went toward luring writers with solid print credibility like Sven Birkerts and Howard Rheingold.

Though *Feed* has no current plans to charge for subscriptions and has only begun attempting to sell any ads — and therefore has yet to make any money — it recently unveiled an innovative ad-pricing scheme: advertisers will pay for the number of times that a page their ad is on is actually seen; for example, 8,000 accesses will cost \$4,000. (Ads on the Web tend to appear at the top of a page; clicking on the ad links you to more information about the advertiser. So far, most on-line ads are charged on a per-month basis.)

Tom Livaccari, the thirty-year-old publisher of the New York-based *Word*, a colorful, downtown-flavored Web magazine aimed at men and women in their twenties and thirties and full of snap-

py first-person writing, is confident that a profit can be made in this new publishing medium: he expects *Word* to be in the black within a year.

By the end of *Word's* first year — it launched in June — Livaccari expects that the magazine will have spent \$750,000 in start-up costs, including the salaries of twelve full-time employees. Livaccari recently signed a contract with "poppe.com," a wing of Bozell, the advertising company, which Bozell started specifically to sell on-line advertising; it also sells ads for *Playboy's* site and the very large site of the Netscape Communications Corporation, which distributes the most popular software for browsing the Web. With a month-long ad in *Word* going for \$12,000 — and with ads from such major companies as MasterCard and Saab already up on the site — *Word* seems to have a running start. And its relative success has given the computer company that owns *Word*, ICon CMT, so much confidence in this new medium that it is planning an April 1 launch for two more Web magazines, one devoted to sports and another aimed at women.

Still, while start-up costs for these paperless publications are attractive, it remains to be seen whether they can develop a solid reader base. Former *Harper's* and *New Republic* editor Michael Kinsley's upcoming on-line venture for Microsoft will have the solid financial backing of Bill Gates's billions, but start-up

publications like *Feed* and *Word* won't be able to depend on bottomless pockets while they try to build a readership. Lorne Manly, editor-in-chief of *Folio: First Day*, a fax newsletter for executives in the magazine industry, warns that although many advertisers are putting money into the Web right now, they'll start pulling their money out if they don't see results soon. Few Web publications currently plan on charging for subscriptions, and, other than advertising, one of the few other revenue plans

most prominent advertiser, the Borders bookstore chain, plans to distribute tens of millions of bookmarks emblazoned with *Salon's* Web address, and in return *Salon* will provide a space for users to order books from Borders via the Web.

Visibility is certainly a challenge. Aside from attracting investors and advertisers to a new medium, Web magazines need readers to locate them in a Web that is enormous. "Part of the problem of being on the World Wide Web right now," says Shirrel Rhoades,

who has worked on the business side of magazines for three decades, "is that it's sort of like you've gotten into a spaceship and gone out into the universe

s o u n d b i t e

"I'll miss the people I worked with. I'll miss the people I covered. I'll miss the security of a steady paycheck. But the bottom line is, I'm not sorry I quit. Somebody has to say no."

Randy Holhut in a Vermont Business Magazine piece on his decision to refuse a 12.5 percent pay cut at the Brattleboro Reformer in Vermont after William Dean Singleton bought the paper as part of the Eagle Publishing Company package. Holhut worked six and a half years at the paper as an editor, reporter, photographer, columnist, and book reviewer.

that's getting a lot of attention is the idea of charging users a certain amount — say, ten cents — to read each article. The technology for charging users on a per-article basis should exist soon — the Massachusetts-based Newshare Corp. is one company that is pouring a lot of money into this area — but Manly, for one, is skeptical that users of the Web, so used to Web-surfing for free, will be open to such a payment method. "That's a whole new model," he says.

Salon, a San Francisco-based arts and culture magazine launched in November by several former *San Francisco Examiner* employees, has come up with an arrangement that virtually guarantees it visibility: its

and colonized a planet, but it's awfully hard for people in other parts of the galaxy to find you to come visit."

Manly thinks that this phenomenon might concentrate media power even more in larger companies like Microsoft or Time Warner, because these companies' Web sites will be so prominent that many fledgling publications will end up paying fees, or a percentage of advertising dollars, to have a link on one of the larger sites so readers can find them. Manly also thinks that "link trades" will become a common way for smaller publications to improve their visibility — for example, *Feed* and *Word* could each agree to include a link to the other's site on their own sites. With enough link trades, and a little word-

of-mouth, he says, a small publication could begin to develop a readership.

So, though there has been some encouraging news for these publishing pioneers, it is clear that start-up Web publications, despite their low overhead, are not going to have an easy time turning a profit. "Publishing something on the Web certainly makes you a publisher," Rhoades says, "but it doesn't really make it a publishing business. The real challenge is going to be making a business out of this."

Andrew Hearst

Hearst is CJR's editorial/production assistant.

Feed:

<http://www.feedmag.com>

Word:

<http://www.word.com>

Salon:

<http://www.salon1999.com>

northern ireland: a life-support system for sanity

In a world where nationalist and ethnic strife is on the rise, Northern Ireland's *Fortnight* shows how even a small publication can keep sanity on a life-support system by providing a space for dialogue. The twenty-five-year-old magazine's influence goes beyond its circulation of 3,000.

Unlike Northern Ireland's three traditionally partisan dailies, *Fortnight* has always brought together people who otherwise refuse to share a forum or television studio. Simply by putting them on the same pages, the magazine has forced politicians and others who usually act as propagandists for their own constituencies "to be less

rhetorical and more persuasive, because they are writing for a diverse audience," as the British political scientist Bernard Crick puts it. The magazine also allows politicians to present views that their immediate constituencies might consider heretical, giving others a chance to see new thinking.

In 1992, then editor Robin Wilson called for an all-encompassing public debate on possible ways forward for Northern Ireland, ignoring the many tired voices who claimed there was no point. The magazine subsequently facilitated the formation of Initiative '92, an independent citizen's group whose motto was: "No one asked

you . . . until now." Initiative '92, in turn, led to the international Opsahl Commission (named for its Norwegian chairman), which for months conducted public hearings throughout Northern Ireland. Most other media coverage of this was weak. *Fortnight* covered it heavily, showing that there was more to political life in Northern Ireland than entrenched political parties and paramilitary groups. In April, Wilson, who edited *Fortnight* for eight years, left the magazine to establish Democratic Dialogue, a think tank that's trying to follow up on the Opsahl Commission's model of public dialogue. The current editor is John O'Farrell.

"When I wrote my editorials," says Wilson, "I always tried to work from the assumption that I was trying to persuade the reasonable per-

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son who had no political beliefs and would judge everything I said on its merit and nothing else." Such an approach was considered heretical by some, particularly in the early years. *Fortnight's* office was bombed; some blame the IRA, others the British secret service. A printer refused his services, and Irish customs impounded ready-for-print copy.

The hot summer of 1995 — with more violent unrest than in almost a decade — is evidence of the need for *Fortnight's* gift of solace for those in the political middle. Despite recent progress and despite the sense of celebration surrounding President Clinton's November visit to Belfast, the political process is, after all, dominated by Nationalists and Unionists obsessed primarily not with reconciliation but with their respective wishes that Northern Ireland become part of the Irish Republic or remain within the United Kingdom. While moderates and extremists within each camp have come together, Wilson argues, the two camps remain quite a distance apart. So *Fortnight's* editorial foundation — that politics and policies be judged primarily on whether they advance or jeopardize the chance for peace and reconciliation — remains a challenge to the political norm.

"What we have now is peace without reconciliation," Wilson says. "But I would say if we ever get to the point of a political settlement, that *Fortnight* would have laid a great amount of groundwork for it. If there is no settlement, then *Fortnight* tried."

Wim Roefs

Roefs is a South Carolina-based free-lance writer who has lived in Belfast and written frequently about Northern Ireland. He has contributed to Fortnight.

follow-up: detroit's new newspaper

The *Detroit Sunday Journal*, a slim tabloid put out by the unions striking the *Detroit Free Press* and *The Detroit News*, was born in November, the labor dispute's fourth month. Officials at the *News* and *Free Press*, partners in a Joint Operating Agreement between Knight-Ridder, Inc. and the Gannett Company, Inc., say the strike paper has not hurt them. But the unions claim a *Journal* circulation of more than 300,000 and several major advertisers, and say that anything that pressures the newspapers is a plus for them. They are counting on Detroit's historic empathy with the labor movement to draw readers.

The three major unions in the strike have put up \$500,000 in start-up costs for the paper, which is printed in Grand Blanc by a printing company that puts out a lot of United Auto Workers publications. The AFL-CIO, meanwhile, is contributing some money and staff support to the strike.

Both sides have also traded lawsuits — the unions claiming that the paper's JOA violates federal antitrust laws, and the newspaper companies, using the federal Racketeer Influenced and Corrupt Organizations act, claiming that a pattern of violence by the unions has led to more than \$1 million in physical damage.

Steve Franklin

Franklin is a reporter for the Chicago Tribune.

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Darts & Laurels

◆ **DART** to the Contra Costa, California, *Times*, for fair-weather journalism. So green-gilled did management get upon sighting, in early copies of the Sunday, September 24 travel section, a consumer-oriented wire story by Universal Press Syndicate writer Laura Bly in which were logged the less-than-idyllic adventures of passengers caught on Caribbean cruises in a busy hurricane season, that they stopped the press run in its course and threw the story overboard. After that minor delay, the press run sailed on, refit with fresh copy that calmed readers, buoyed advertisers, and couldn't possibly make waves.

◆ **DART** to David Brinkley, for taxing his credibility. At a time of growing unease over the apparent conflicts of interest that arise when working journalists take on lucrative assignments for corporations, trade groups, and the like — an unease made manifest in the various attempts, by Congress and by other journalists, to require disclosure of such outside sources of income, as well as in the restrictions upon such extracurricular paid assignments laid down by, among other networks, Brinkley's own ABC — the highly respected, highly paid moderator of *This Week with David Brinkley* produced an article in the fall on the "twisted" logic of a federal tax code aimed at "soaking the rich." The article, for which Brinkley was paid an undisclosed amount, was written exclusively for and published by *Rising Tide*, a four-color glossy magazine put out by the Republican National Committee.

◆ **LAUREL** to *The Indianapolis Star* and reporter Larry MacIntyre, for premium reporting. When Pat Rooney, chairman of the locally based Golden Rule Insurance Company, one of the nation's leading providers of individual health insurance, became a candidate for governor last spring and promised in a campaign commercial to treat taxpayers like customers, MacIntyre decided on an exploratory examination of just what such a policy might mean. Three months later, after reviewing the company's business practices, studying a hundred court files, and interviewing more than fifty people, he had a pretty good idea. His three-part series (October 8-10) traced

an aggressive pattern — rates increased, policies canceled, customers sued, claims denied — that turned Golden Rule into a billion-dollar company, made Rooney into a multimillionaire, and sometimes left his customers gravely ill, uncovered, and ridden by debt. By the time the series saw print, Rooney had canceled his candidacy — in part, at least, according to his former campaign chairman, because of discomfort with MacIntyre's inquiry. Rooney's approach to health care, however, is very much alive: he has been one of the long-time leading lobbyists for medical savings accounts, currently enjoying much attention on Capitol Hill. And as MacIntyre's series makes clear, when it comes to any health-care policies with which Rooney is involved, it behooves both Congress and the public to read the fine print.

◆ **DART** to the Springfield, Massachusetts, *Union-News*, for not taking any chances. Although syndicated columnist William Safire is a regular player on the paper's op-ed page, his September 28 piece on the evils of state-sponsored casino gambling didn't make the cut (at least not until October 8, when a candidate for mayor called attention to its absence in an ad in the *Union-News*). One possible reason: the paper had set its stakes on having such a casino built in Springfield, preferably on land next door.

◆ **LAUREL** to the Baltimore *Sun*, for calling the right play. While news that a professional sports team is considering relocation typically kicks off local coverage that flies far out of bounds, the *Sun's* handling of the shift of the Cleveland Browns to Baltimore managed to stay on the ball. Recalling the city's still-raw experience in 1984 when the powers that be blew the whistle on the Baltimore Colts, the *Sun's* news reports and opinion columns were marked by uncheering analysis, pointed questions, and compassion for Cleveland's pain. (In contrast, coverage ran well over the line in the hands of the Cleveland *Plain Dealer*, which, having neglected over the years to report on developments that might have made the move less of a surprise, piled up yards of outraged copy on the secret deal, including a page-one editorial on how it could be stopped. On

November 5, front-page banner position went to a follow-up piece proclaiming MAYOR FIGHTS BROWNS' MOVE; the secondary story that day was headed RABIN SLAIN.)

◆ **DART** to Philadelphia Newspapers, Inc., parent to the *Inquirer* and the *Daily News*, for a domestic trade agreement of rather unsettling import. After a routine audit produced a \$500,000 bill that city hall claimed — and that PNI denied — was due for unwielded taxes on corporate stock options given to the papers' executives in 1993, PNI sat down with Mayor Ed Rendell's administration and worked it all out: the city would write off the tax bill in exchange for six free full-page ads and a discount on future ads. (According to the alternative *City Paper*, which in September revealed the details of the deal, the full retail value of the ads and the discount came to \$156,700.) Although the unprecedented 1993 agreement received little attention at the time (neither paper having reported it) and although the agreement stipulated that the ads, to be used by July 1995, be for non-election purposes, it lent sudden credence this fall to campaign charges, made by Rendell's rivals for the mayor's job, that sweetheart coverage was linked to the sweetheart deal. Those charges have been vigorously denied by the papers' publisher, editors, columnists, and reporters as well as by outside observers. But few deny that, at the very least, the papers appear to have bartered away some of their credibility.

◆ **DART** to *The Washington Post*; to the *San Francisco Examiner*; and to *60 Minutes*, for forgetting their professional manners.

• *The Washington Post's* September 12 story by Sandra Boodman on the practical workings of joint child-custody agreements was accompanied by a sidebar focusing on the personal experiences of one divorced couple and their two preschool-age sons — the same family that Susan Kellam had persuaded to go on the record for the sidebar to her own article on that same delicate subject in the January 13 issue of the *Congressional Quarterly Researcher*.

• The *Examiner* presented on its August 3 front page what appeared to be the shocking exposé of a SECRET CHURCH REPORT on the San Francisco archdiocese's plans to pile up a profit of some \$43 million by closing churches and selling off land — but which in fact had been splendidly revealed by the rival *Independent* on its front page two days before.

• In *60 Minutes's* December 3 interview with Emmanuel Constant, head of the FRAPH paramilitary group in Haiti, correspondent Ed Bradley asserted unequivocally that Constant was talking “for the first

time about his secret dealings with the CIA” — despite the fact that in an exhaustive article that appeared in *The Nation* as long ago as October 24, 1994 (and had been picked up at the time by, among others, *The Washington Post*, CNN, *The New York Times*, and CBS itself), Allan Nairn had reported that “interviews with Constant and with U.S. officials who have worked directly with him confirm that Constant recently worked for the CIA and that U.S. intelligence helped him launch the organization that became the FRAPH.”

◆ **LAUREL** to the New Orleans *Times-Picayune* and staff writer Chris Adams, for “Medicaid Madness,” a deep analysis of the manic leap — some 9,000 percent over the past five years — in public funding of private psychiatric care for Louisiana's poor. Drawing on a computer-assisted examination of 60 million records and more than 400 interviews, Adams's stories documented the sociopathology in sickening detail. A three-sentence rewrite of the rules, for example, elevated profit margins to 40 and 50 percent (as compared with the industry standard of 5 percent) for a group of small, mostly unaccredited facilities owned by state officials, political supporters, campaign contributors, and legislators, including the president pro tem of the House. Another quiet one-sentence rule change, in which three facilities owned by political and business associates of the governor were designated “teaching hospitals,” brought in \$9 million in one year alone for supervising six part-time medical students. Doctors' salaries also got a shot in the arm, sometimes to nearly \$1 million a year (as compared with the national average of \$130,000) while the former lieutenant governor and two of his partners paid themselves \$50,000 a month each for serving as members of their hospital's board. In addition to five state and federal investigations, the *Times-Picayune's* exposé produced promises from all seven gubernatorial candidates that, if elected, they would cure the problem.

◆ **DART** to *The Sacramento Bee*, for giving new definition to the concept of crusading journalism. So enraptured were the editors with the coming of evangelist Billy Graham to the paper's circulation area that they devoted amazing space — features, sidebars, columns, maps, schedules, excerpts, interviews, and some forty photos, not to mention page-one stories on October 16, 17, 18, 19, 20, 21, 22, and 23 — to spreading his good news.

This column is compiled and written by Gloria Cooper, CJR's managing editor, to whom nominations should be addressed.

THE Conceptual SCOOP

by Paul Starobin

When Ronald Brownstein of the *Los Angeles Times* explains what animates him as a political reporter, it is clear why a colleague calls him "The Great Analyzer." "My dominant interest in politics," he says, is "figuring out the evolution of the arguments between and within the parties and how that reflects changes in the country." The traditional approach to political journalism, Brownstein says, is "to collect as many pieces of information as you can," but his own is "to build a box around the information — some sort of conceptual framework."

Brownstein is ever in pursuit of the conceptual scoop — a fresh interpretation of the political landscape, a new way of connecting dots into big pictures. Shortly after the 1994 congressional elections, for example, he got a lot of attention with an in-depth piece that compared the triumphant Republicans with turn-of-the-century Populists. It was a smart take and far ahead of the curve. Four months later,

Business Week ran a cover story on "The New Populism."

Brownstein isn't alone. As Campaign '96 heats up and reporters look for alternatives to traditional horserace coverage of elections, he faces growing competition in his search for the conceptual scoop.

Conceptual journalists are more interested in figuring things out than in finding things out — their impulse is to explain, to interpret, to move from the particular fact to the general proposition. What they do is no substitute for shoe-leather or what-happened-yesterday stories. But it can help people make sense of the torrent of raw data in "an Internet world," says Peter G. Gosselin, a domestic policy reporter for *The Boston Globe*. And the focus of conceptual journalists on political ideas and culture is particularly well suited for an era of crumbling paradigms about the role of government. "People are clearly hungry for this," says political reporter Thomas B. Edsall of *The Washington Post*. "It's a period of extraordinary upheaval in politics."

The genre also holds considerable appeal for journalists, offering an intellectual challenge and tantalizing status-and-prestige rewards. Leading practitioners, such as the *Washington Post* editorial writer and columnist E.J. Dionne, write scholarly books that win them acclaim as public intellectuals, right up there with highbrow academics.

Paul Starobin, a contributing editor to CJR, writes for the National Journal in Washington. Pamela Varley, case writer for the John F. Kennedy School of Government at Harvard University, assisted in the preparation of this article.

Thomas B. Edsall,
The Washington Post



E.J. Dionne,
The Washington Post



Richard L. Berke,
The New York Times



David Broder,
The Washington Post

**"Trying to
arrange the
known facts in
the most
intelligent,
prescient way.
That's the
satisfaction"**

Besides, this brand of journalism is fun — reporters get to make up catchy labels for their conceptual packages. "I basically invented a group of Republicans," *Newsweek's* Howard Fineman proudly declares, referring to his coining of "Volvo Republicans" to encapsulate a new cluster of GOP leaders with a libertarian approach on social and economic policy.

"The fact that you can trademark this kind of journalism makes it extremely attractive," adds Jonathan Rauch, a visiting writer at *The Economist* who came up with "Demosclerosis" to describe the petrification of Washington government. (And just so I don't get accused of infringement, I heard the term "conceptual scoop" from the *Globe's* Gosselin; Tom Rosenstiel, who covers politics for *Newsweek* and writes often about the media, noted in 1994 that reporters were talking about "scoops of perception.")

But more skeptical journalists point out that a snazzy conceptual take can camouflage a multitude of sins, including slack reporting and embedded bias, and serve the dubious function of packaging old ideas in shiny new wrappers.

"The search for a conceptual scoop can be a contrived game," says political reporter James A. Barnes of the *National Journal*. "Sometimes there's more sizzle than steak."

The Genre

A conceptual orientation in political and other types of journalism has a long history in books, magazines like *The New Republic* and *The Nation*, and the newspaper opinion sections, where opinions and prescriptions are wrapped around the analytical take. In the mainstream press, it used to be a narrow specialty for the likes of Walter Lippmann — columnists and essay writers, often drawn from academia, with an ability to write for non-specialists. For most political reporters, the paradigm was Theodore White's *Making of the President* series, beginning with the 1960 presidential election — behind-the-scenes reportage on the operations of a political campaign. The tradition was followed by such reporters as Jack Germond and Jules Witcover of the *Baltimore Sun*.

But in the 1990s, a growing number of mainstream political reporters began migrating toward a conceptual brand of coverage, a trend that was embodied by Dionne's influential 1991 book, *Why Americans Hate Politics*. Dionne formulated a theory: the electorate was turned off to politics, according to his "false choices" thesis, because the two parties had become overly polarized and thus were failing to address the mass of voters in the political center. Dionne described the project as an "interpretative history of thirty years of political ideas." That's a far cry from Teddy White journalism.

One reason the conceptual scoop is in the ascendancy these days is television, with its virtual monopoly on breaking news. "The era of the pure scoop is long gone," political reporter Paul Taylor of *The Washington Post* says. "To the extent that there is a competitive nature to this business, it's trying to arrange the known facts in the most intelligent, prescient way. That's where you get your job satisfaction." And *Newsweek* editor Maynard Parker says the "newsmagazine" tack increasingly taken by daily newspapers including the *Post* and *The New York Times* puts a "high premium" on



Howard Fineman,
Newsweek



Ronald Brownstein,
Los Angeles Times



Peter Braestrup,
Library of Congress,
ex-Washington Post

Gerald F. Seib,
The Wall Street Journal



Newsweek and its magazine brethren "to be faster to spot trends and move on them."

Another reason is that after the frustrating 1992 campaign, many reporters were looking for alternatives to horserace and strategy coverage. The campaign was "a humbling experience" for the press, says Gerald F. Seib, *Wall Street Journal* political reporter and editor and former defense and foreign-policy reporter. "The whole Perot phenomenon showed that there was a group of issues and a particular populist approach to issues that wasn't really reflected in the conventional political dialogue or the conventional political journalism."

After the election, the *Journal* and the *Los Angeles Times* created for Seib and Brownstein, respectively, what might be called the conceptual column. Both Seib's "Capital Journal" and Brownstein's "Washington Outlook" run on the news pages, not the opinion pages. Both strive for more depth and intellectual adventure than the traditional day-after-the-big-event sidebar news analysis. Their goal is to bundle the facts into new interpretive takes, shorn of the opinions and prescriptions of the editorial and op-ed pages. A recent Seib entry, for example, offered a new twist on popular discontent with the federal government, commonly reported as a narrowly channeled suspicion of Washington. Drawing on public opinion research findings that Americans were also very worried about a spate of mergers that were producing large, remote corporations, he suggested that the real problem runs broader and deeper than distrust of government — it was "fear of big," whether the institution was a government, a business, or even a large labor union. He came up with a conceptual tag — a "culture of suspicion" — that encompassed such sentiments.

Edsall of the *Post* gravitated toward a conceptual approach when he became convinced that "news stories don't tell the truth — there may be things taking place in a traditional hard-news story that cannot be described, encompassed or conveyed to the reader." In particular,

Edsall's longstanding, political-science focus on the nexus between American politics and race, class, and gender equips him with a kind of conceptual flashlight that can illuminate the shadows, or subtext, of events, yielding stories that sometimes elude less conceptually oriented reporters.

Another factor behind the emergence of the conceptual genre is the white-collarization of journalism: the craft's growing share of educationally credentialed reporters who resisted their parents' pleas to go to law school — high achievers who are confident of their ability to synthesize complicated matters, stimulated by the intellectual challenge, eager to establish marks as thinkers and have a voice in the policy arena. Check out Dionne's resume. As a Harvard undergraduate (class of 1973), he learned the techniques of public-opinion analysis from teachers including William Schneider, now a political analyst (with a conceptual bent) for CNN. His first job was to help set up The New York Times/CBS News Poll; he earned a doctorate in political sociology from Oxford and was a political reporter for the *Times* before joining the *Post*. Dionne is also typical of the political reporter pool of which the conceptualizers are members — they are a mostly white male crew.

"The conceptual scoop can be a contrived game. Sometimes there's more sizzle than steak"

**"The danger
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exists"**

The shift toward conceptual coverage of politics is paralleled and fostered by the growing influence of conceptually oriented strategists in the political arena — big-picture intellectual types such as Republican guru William Kristol, the ex-Harvard political scientist and Bush White House staffer who's the editor of *The Weekly Standard*, and Democratic pollster Stanley B. Greenberg, the ex-Yale political scientist who's an adviser to President Clinton. Different milieus breed different kinds of reporters; in the Teddy White era, when hard-boiled party chairmen ran the political world, the political-reporting crew was more hard-boiled too. Brownstein says his Rolodex is "not great on county chairmen" — but that's no longer such a handicap.

Not everyone on the Campaign '96 bus views the conceptual scoop as the ultimate prize. "I get more excited over breaking some kind of story that reveals an underside of American politics in stark detail that the American public was not aware of," says Richard L. Berke, chief political correspondent for *The New York Times*. He sometimes writes conceptually oriented pieces for the Sunday "Week in Review" section but is better known for such gumshoe efforts as his page-one exposé of how fiercely Dick Morris, Clinton's controversial political guru, had criticized Clinton's character when he was working for Republicans.

However, many of Berke's colleagues, including the *Times*'s Michael Wines and others, are happily stepping into a void left by professional academics, who have tended to write on ever-narrower topics for ever-more-specialized audiences. The conventional wisdom is that academics tend to know the right questions but have no idea how to get the answers, and traditional journalists tend to know how to get the answers but have no idea what the right questions are. Alan Ehrenhalt, executive editor of *Governing* magazine, says conceptual journalism can bridge this gap, and not only in political coverage. For example, James Fallows and Nicholas Lemann of *The Atlantic Monthly* (both began at *The Washington Monthly*) have long specialized in ambitious conceptual pieces on a variety of subjects. Lemann has explored the workings of American meritocracy for years, and, in a kind of sociological fashion, has identified alternative paths to success.

And conceptual journalists can also counteract too-facile reporting about complex ideas. In a recent *New Republic* cover piece on "Newt's Not-So-Weird Gurus," John B. Judis, an ex-graduate student in philosophy at Berkeley, traced the philosophical evolution of futurists Alvin and Heidi Toffler (beginning with an embrace of Marxism in the 1950s) and showed that the Tofflers aren't the nutball conservatives they had been depicted as in the press and have, in fact, been prescient about a

lot of changes in work and society. Judis has a knack for using history as a lens for examining contemporary politics. Formerly a reporter for *In These Times*, he says he was "intellectually raised as a Freudian, a Wittgensteinian, and a Marxist."

Many academics welcome the dialogue with journalists. "When I have conversations with leading journalists I might as well be talking to my brighter colleagues," says Everett Carll Ladd, a political scientist at the University of Connecticut who's also the executive director of the Roper Center for Public Opinion Research. Since he took over the center in 1977, Ladd adds, there has been "a continuing enlargement of the reach and range of questions" he gets from journalists and a shift toward "academic" sorts of discussions.

The Washington Post's veteran team of political journalists is a mini-political-science department unto itself — even to the extent of a publish-or-perish imperative. Dionne is wrapping up a new book on the promise of a new kind of progressive politics. Inspired by his late father-in-law, political theorist Karl W. Deutsch, Edsall has written books on race and class in American politics and is now writing a third one on gender; he's a frequent contributor to *The New York Review of Books*. Reporter/columnist David Broder's voluminous oeuvre includes a book on the decline of political parties; reporter Dan Balz has just finished writing a book with the *L.A. Times*'s Brownstein on how the evils of Big Government replaced communism as the centralizing organizing force for the post-cold war Republican party. The *Post* gives its staff plenty of leeway to stretch their intellectual muscles on academic fellowships and leaves; Dionne was a resident scholar in 1994 at the Woodrow Wilson International Center for Scholars and reporter Taylor spent half his time this fall on the Princeton campus teaching a course on the press and politics.

Dangers

Conceptual journalism is easy to do sloppily and hard to do well — the journalistic equivalent of brain surgery, it requires a delicate touch. The danger is a genre that marries the worst features of journalism and the academy — journalistic shallowness and academic isolation from the real world.

"A thoughtful critic needs four things — intellect, special expertise, time for reflection, and an attitude of judiciousness," says Ted J. Smith III, a journalism professor at Virginia Commonwealth University. "If you wanted to pick a group of people who are almost uniquely unfit for that role, you'd pick journalists."

Journalists themselves say they're not sure what the standards are. "There is a certain level of high-wiredness in all of this," Brownstein says. The possible missteps:

Bias and Overstepping. The interpretive approach lends itself to prescribing and editorializing, as critics including Rosenstiel have pointed out. For example,

Newsweek's Joe Klein didn't stop at offering a diagnosis of the "radical middle" in American politics — he suggested four ways for politicians to reach these voters, which he implicitly endorsed. Journalists aren't political consultants; when they're not writing explicit opinion columns or essays, the conceptualizers best serve their readers by aspiring to an analytic neutrality. A neutral tack is particularly valuable these days as a counterweight to the proliferation of conceptual pieces by partisans like Kristol of *The Weekly Standard*.

Trickle-Down Journalism. Senior editor Jerry Adler says *Newsweek* often gets its ideas from writers at "little magazines" like *The New Republic*, *The Atlantic Monthly*, and *Harper's*, and "with our reporting resources we can package them for a larger market. . . . There's some value added in what we do." Or value subtracted. Last July, *Newsweek* ran a cover story on "The Overclass," a term adapted from *The Next American Nation*, a high-concept book by *New Republic* senior editor Michael Lind. Lind warned of the growth of a "white overclass" of rich managers and professionals ominously "gazing down on America from gated communities or the more exclusive suburbs." *Newsweek* put that into the blender, combined it with a new analysis of the American meritocracy by Lemann of *The Atlantic*, and served up a gee-whiz *People*-magazinish spread that featured "The Overclass 100" — a list of yuppie high-achievers, including many non-whites, in the arts and media, business, finance and law, politics and government, and the like. There was even an "Overclass Pop Quiz" — with such questions as, "True or false: You can tell the difference between a Manet and a Monet."

"I was appalled by it," Lind says. "It shows how, when somebody even attempts serious intellectual journalism, it gets totally denatured and debased to fit into preexisting categories of thought. By the way," he adds, "they left me out of the Overclass 100." *Newsweek* editor Parker retorts: "Although we took his term, we're not signing onto everything he said." Minorities, Parker says, can be members of an overclass, adding, "I think we can have a little fun with this concept."

New Republic-itis: The danger of conceptual scoops, Dionne says, "is to try to put a clearer definition on things than actually exists." Boutique magazines like *The New Republic* do this in an almost formulaic fashion in their roles as intellectual provocateurs. A grand, often contrarian, thesis is presented and argued with verve — for example, Lind's *TNR* cover piece in August on "The Incredible Growing Presidency," which challenged the conventional wisdom that Congress had captured power at the expense of the White House. Such stuff can be good fun to read but often suffers from thin reporting and a carts-before-horses problem — headline first, story later.

Peter Braestrup, a former military correspondent for *The Washington Post*, deprecates what he calls "hypothesis" stories by "the indoor boys" — whiz kids "who have never been shot at." And Brownstein says, "The biggest risk in all of this is that you get to a point where

you stop talking to people — because you're more interested in what you think than what people have to say."

Shiny New Wrappers. Sometimes the impulse to invent labels for every contour on the political landscape results in the mere repackaging of old news. In 1994, *Los Angeles Times* magazine staff writer Nina J. Easton coined "Retro-cons" to describe a supposedly new cluster of Republican thinkers hostile to the welfare state, including William Bennett and Charles Murray, who she said took their cues from conservative philosophers of earlier centuries. But a generation of conservative thinkers have done so, and it's not obvious how the "Retro-cons" differ from the cluster of thinkers widely known as "neo-conservatives" who cropped up in the '60s and '70s. Back in 1971, the godfather of neo-conservatism, Irving Kristol, was warning of "the fundamental problems of our welfare system" and urging policy makers to re-read Alexis de Tocqueville.

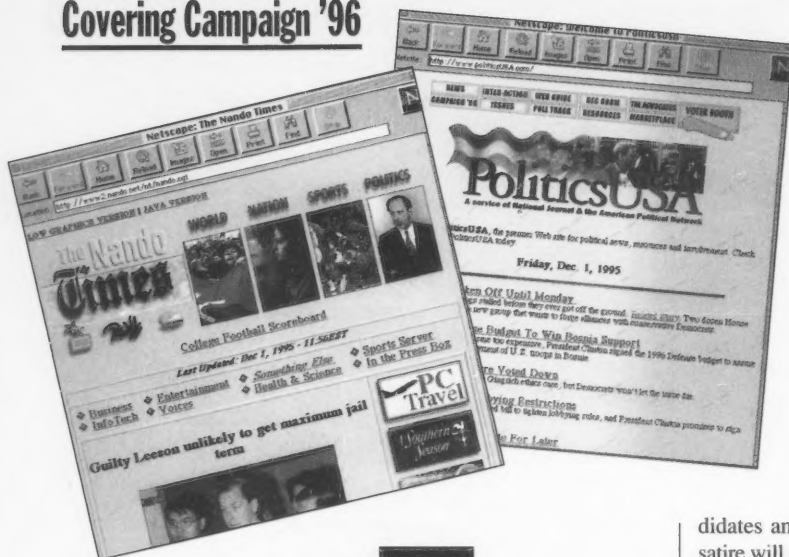
Close Conceptual Quarters. The ties of intellectual community spun by practitioners of the conceptual genre pose tricky problems for peer-group and source relationships. At the same time that Brownstein and the *Post's* Balz were competing with each other as political reporters for rival newspapers, they were also co-writing an ambitious book on the Republican political ascendancy. And should Brownstein have agreed to read and critique the manuscript of pollster Greenberg's new book, *Middle Class Dreams*? He doesn't see any impropriety — and he may be right. "I wouldn't read a Greenberg memo to Clinton and say, 'You're giving him the wrong advice,' Brownstein says. "This was something for the public." But he asked another close conceptual source, Peter Wehner, policy director at the conservative advocacy group Empower America, to critique a chapter of his and Balz's manuscript. Wehner says he views Brownstein as "an intellectual" with whom he can have "a real conversation" at a level few other journalists meet. Intellectual fellowship is a valuable thing, but at the end of the day, Greenberg advises the president, Wehner tries to advance the conservative ball, and Brownstein covers politics for the *L.A. Times*.

The shift into the Knowledge Era is changing what it means to be a political reporter. The conceptualizers are postmodern journalists — more interested in subtext than in text.

Entry into the intellectual class is a mixed blessing for journalists: already, as *The Economist's* Jonathan Rauch notes, the conceptualizers face unhealthy pressures to produce books in order to show they're more than "just" reporters. Still, by deconstructing the political dialogue, these journalists can meet what Dionne calls a need for "an investigative reporting of ideas" in political life. And they can aid a public swamped with information but starved for explanation. ♦

**The
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Covering Campaign '96



by Frank Houston

The adrenaline-charged voices of Nando.net's editors crackle over the phone line. Their fervor, combined with the echo-chamber quality of the speakerphone, makes them sound like coaches exhorting the team in the locker room at half-time. George Schlukbier, vice president and editor, Seth Effron, executive editor, and Eric Harris, managing editor, are describ-

the virtual trail

ing their plans to cover the 1996 campaign in cyberspace. For the better part of the next year, the editors intend to "put the voter on the bus," beginning in New Hampshire.

Nando.net's editors plan standard up-to-the-minute campaign news along with interactive critiques of political advertisements and of the campaign coverage itself. They expect that their efforts on the World Wide Web will change what it means to cover a political campaign.

"The fifteen- to twenty-second soundbite is not going to play on the Web," says Harris. "It's going to put a bigger onus on the campaigns to provide better information. In the paper, you only have so many column inches. On TV, there are only so many seconds you can fill."

Along with its international, national, and sports coverage, Nando.net, a cyber-sibling of the Raleigh News

Frank Houston is an assistant editor at CJR.

& Observer (N and O), is performing one small experiment in that part of the cyberspace laboratory that is devoted to politics. The campaign presents many media outlets with an opportunity to create, for the first time, original news content suited to the new medium's strengths: interactivity, immediacy, depth. Competition — from The Microsoft Network to *The Washington Post* — will be fierce; all are angling to be credible and authoritative voices in the sprawling digital wilderness. At the same time, journalists will have new sources for their coverage: on-line field reporting, interactive discussion, the offerings of candidates and parties themselves, and sites of political satire will all provide windows onto the campaign story.

A big story of this election is how the Internet is changing the political landscape — as a new platform for candidate stumping, as a new source of information, and as a new medium for voter involvement; indeed, the very existence of the virtual trail has the potential to change the electoral process itself.

Field reporting and discussion

Lynne Bundesen, who leads Prodigy's news bulletin board, is already conducting one of cyberspace's more interesting experiments. The project puts a veneer of journalism over what is essentially a year-long, interstate conversation. Sliding onto the piano bench she uses for a desk

chair in her living room, Bundesen peeks in on her bulletin board, the glow of the monitor casting her face in a pale blue light. Tapping into the "grass roots reports" topic of her bulletin board, she summons up a report from Jonathan Richards, one of her far-flung correspondents, on the campaign trail in New Mexico:

The '96 elections are not yet on the front burner here. I took a poll today in The Green Onion, a Santa Fe sports bar, and nobody had given it much thought. Caitlin, the bartender, expressed amazement that there was a presidential election coming up next year, but she said she could tell me who won the World Series, and she did.

Richards is one of thirty-odd "grass-roots" stringers Bundesen has recruited to file daily to weekly stories from the campaign trail. She calls these reports "democratic journalism" and plans to have a corre-

spondent in every state, with two each in California and New York. Her project is set within the framework of the informal, often rambling world of discussion that characterizes bulletin boards, in which Bundesen is just as often called on to play "boss, teacher, and hall monitor" as editor.

Richards has one thing in common with all of his Prodigy correspondent counterparts: he is not a trained journalist. Objectivity isn't the objective here; each of these reporters is simply one more voice on the bulletin board. Granted, they have readily identified their biases at the outset, in biographies that accompany their first field reports. One says his politics "lean Republican, but I have a social conscience." Another, the Delaware correspondent, a Republican National Committee delegate, is perhaps offset by Patrice Fitzgerald of Connecticut, who works with one of Hartford's Democratic committees. "It's going to be different than what would be produced by the professional media," says Fitzgerald. "You will have the personal biases, but it will be fresh. And honest. What the real people are thinking."

Discussion on bulletin boards and chat rooms of the major on-line services and Web sites will be another part of the campaign story. America Online is soliciting political op-eds from members; subscribers at Prodigy have already posted questions directly to the candidates and are awaiting responses.

CompuServe has offered free accounts to all federal and local candidates on its Election Connection '96 area, where they can participate in chat groups and use the service's software tools for creating home pages. After some press stories suggested the accounts might represent in-kind corporate contributions, CompuServe requested a ruling on the offer from the Federal Election Commission, which is still pending.

Clearinghouses

Traditional news coverage of Campaign '96 will exist in cyberspace, too, but it will combine the immediacy of television with a depth that may make even the thickest of metropolitan dailies envious. In many places, the news will be tailored specifically for politics junkies, and beneath the news will be raw information — voting records, PAC contributions — for anyone with a mind to mine it.

An early example of this sort of clearinghouse for political news and hard data is PoliticsUSA, a Web site created by *National Journal* and the American Political Network, a Washington-based publisher of issue-oriented newsletters. It offers daily political news and polls; searchable databases; political games; updated tracking polls of various match-ups; a politics and policy forum; candidate schedules, and platforms for advocacy groups such as the National Taxpayers Union.

PoliticsUSA takes a few notable steps away from traditional journalism. In one area, users can "sign" petitions on either side of debates of the day — U.S. troops should be in Bosnia, yes or no, for example — that will be sent to local and national elected officials and candidates. "Congress Alert" presents a weekly issue and allows voters to submit commentary right to their lawmakers' e-mailboxes. In "Field Test," users share

their feelings on a handful of issues, and *voila!* PoliticsUSA spits back the name of the candidate most closely aligned with their opinions. Steve Hull, the president of PoliticsUSA, says the Internet is "ideally suited for connecting elected officials to constituents."

In a paper called "Tabloids, Talk Radio, and the Future of News," Ellen Hume, a senior fellow at the Annenberg Washington Program, writes, "The new technologies break the journalist's monopoly, making some of the new news an unmediated collaboration between the sources and the audience."

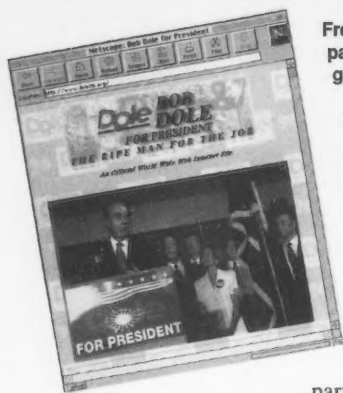
Just who that audience will be is a big unknown. The on-line services claim nearly ten million or so subscribers, but the Web's chaotic design makes an accurate head count nearly impossible. Hull predicts a professional Washington audience — politicians, pundits, and journalists — but he also hopes to attract users "beyond the beltway," such as activists and political enthusiasts. "If all we get is the professional audience, you'll be calling back here in six months and this will be a Pizza Hut," he says.

The Cyber-beat

Those who cover the campaign — whether on paper, over the airwaves, or in the on-line ether — will find the candidates stumping in cyberspace, too. Their own substantial home pages on the World Wide Web may be little more than glorified billboards, but they will be instructive for the kind of messages they deliver, free of the media filter and time and space constraints. The White House established an early toehold, soliciting visitors' signatures in a guestbook and offering stately virtual tours of the First Lady's Garden. The national parties offer a continuous flow of soundbites and press releases. Lamar Alexander's page gives us his familiar red and black flannel, in the form of a main menu, while Pat Buchanan's sepia-toned portrait evokes something out of the last century. Candidates hawk everything from speeches and screen savers to bumper stickers and short bios.

Writer Edwin Diamond, whose latest book is called *White House to Your House: Media and Politics in Virtual America*, calls cyberspace "additive" exposure for candidates. "It's a man with a belt wearing a pair of suspenders. It ain't the pants, and it ain't the belt," he says. Most campaign dollars will still be lavished on network air time, Diamond says, while cyberspace will receive "the loose change that rolls off the table." Mostly, he says, the Internet is "a way of showing they're up to date, current, 'with it' — projecting a forward-looking, cool image."

Just the opposite image is projected by fake home pages for several candidates. The spoof Bob Dole for President page is emblazoned with the Dole fruit company logo, though we learn there's no connection between fruit and candidate, except that Dole is a fan of bananas "that are just starting to turn black on the outside, but which are not so black and mushy as to be inedible." (Ironically, it turns out that Dole may indeed be a fan of bananas. The page preceded by several months a *New York Times* report that Dole has pushed for trade sanctions on Costa



Fresh fruit: the fake Dole page represents a new genre of political satire

Rica and Colombia unless they pull out of a European banana export deal that vastly reduces the market share of Chiquita Brands International, whose owner, Carl Lindner, is a major contributor to the Republican party.) The fake Buchanan

page is more severe; its centerpiece is nearly a carbon copy of the real thing, with the exception of the swastika that replaces the stars on one of the American flags. On the lighter side, we also get a presidential home page for Fidel Castro, "the ultimate Washington outsider."

"This is the beginning of the wild times," says Hume. "There's so much fraud out there, it's hard to keep some quality controls."

Comprising the Web as well as on-line services, cyberspace isn't just a fast-moving target. It's an ocean of ones and zeros; for every bit of valuable information there are several bytes' worth of detritus. Predicting the look and feel of news in cyberspace by the time elections arrive next November may be like forecasting the weather on Jupiter with a pair of binoculars. But back at Nando.net, in his crackling voice over the speakerphone, Effron does offer this in the way of prediction: "Seven months from now, when you see who the best reporters are who are covering the elections, one or two people will be following the campaign not just from the bus, but from cruising the Net, too." Nora Paul, the library director at the Poynter Institute, says journalists should "be aware of what's being disseminated on the Web, just as a beat."

Ultimately the shape of news in cyberspace will unfold along with the campaign story. Diamond notes that the Internet attracts newspapers, magazines, and, yes, politicians for many of the same reasons: "They're in the same business. Getting votes, getting circulation. Staying in office, staying in business. They're saying, 'Well, there may not be anything more to it, but we better be there in case it's the greatest thing since Gutenberg.'"

A WEB OF POLITICAL INTRIGUE

There are an estimated 1,400 sites on the World Wide Web related to politics alone. Here is a guide to some of the more notable windows onto Campaign '96 in cyberspace:

NEWS & INTERACTION

PoliticsUSA (<http://politicsUSA.com>): daily political polls; searchable databases; political games; a politics and policy forum; petition drives

Electionline (<http://www.electionline.com>): combined effort of ABC News, *The Washington Post*, and *Newsweek*; news, polling, mock election match-ups, searchable databases, political games

The Doonesbury Electronic Town Hall (<http://www.doonesbury.com>): "the choicest political scuttlebutt," including "highly accurate albeit meaningless straw polls," a chat hall (where "faceless political dialogue meets unregulated technology"), and Doonesbury cartoons from corresponding dates in the '92, '88, '84, '80, '76, and '72 campaign trails.

The Nando Times (<http://www2.nando.net/nt/nando.cgi>): promises campaign news, interactive critiques of political advertisements

Primary Destination NH (<http://www.fosters.com>): pooled resources of *Foster's Daily Democrat* (Dover) and *The Citizen* (Laconia); primary news, campaign schedules; citizen editorials; discussion in the Political Tavern forum

MOJO Wire (<http://www.mojones.com>): primary schedules, field reports, information on referendums and propositions from *Mother Jones*

U.S. News Online (<http://www.usnews.com>): candidate profiles, articles, links to sites, "tote board" with F.E.C. filings, candidates' positions

The New York Times (<http://www.nytimes.com>): Launching in early 1996, the site's political coverage will go "beyond what is in the newspaper"

San Jose Mercury News (<http://www.sjmercury.com>): will focus on the California vote and initiatives; will offer a citizens' guide to the political system

NPR (<http://www.npr.org>): NPR's political coverage in RealAudio (see page 44)

C-SPAN (<http://www.c-span.org/road.html>): candidates in RealAudio

Internet Publishing Technologies (<http://www.ipt.com/vote/>): links to candidates; virtual voting booth

Reinventing America (<http://pathfinder.com/@s1c7EWEPlgEAQBFI/reinventing/>): a simulation game, in which on-line participants review federal programs and send recommendations to a mock on-line Congress

DATA

Vote Smart Web (<http://www.vote-smart.org>): directory of Congress, White House speeches and documents, press releases, a questionnaire for candidates on twenty-eight topics; link to Election '96 Opinion page, a BBS

Poynter Institute (<http://www.nando.net/prof/poynter/home.html>): good resources on campaign and election coverage for reporters

Jefferson Project (<http://www.stardot.com/jefferson>): extensive links to campaign sites, coverage, and watchdog groups; a URL generator that chooses random political web sites and sends you to them

League of Women Voters (<http://www.electricti.com/~lwvws/elect.html>): results of "citizen assemblies" on campaign finance will be published from around the country

Federal News Service (<http://www.fednews.com/>): a searchable database of transcripts of politicians' speeches, press conferences, and appearances on talk shows; fees range from \$3 to \$9 per transcript

THE POLS & PSEUDO-POLS

Democratic National Committee (<http://www.democrats.org/>): extensive links to national, state, and local parties; speeches in RealAudio (including Newt Gingrich's speech on the male biological urge to hunt giraffes)

Republican National Committee (<http://www.rnc.org/hq/>): weekly press briefing; political news; convention information; chat 'cloak room'

White House (<http://www.whitehouse.gov>): White House tours; text of speeches and press releases

United We Stand America (<http://www.uwsa.com:8972/uwsa/>): national debt update; budget simulation; issues forums and links

"Republican Central Committee" (<http://www.republicans.org>): satire, links to fake candidates' home pages

Fidel Castro for President Home Page (<http://www.slugs.com/imagesmith/fidel/>): Castro on the issues; possible running mates

Has Knight-Ridder's Flagship *gone adrift?*

Trouble at *The Miami Herald*

by David Villano

"*The Miami Herald*, which used to be a vigorous daily . . . is now thin and anemic, a booster sheet."

— David Remnick in the September 18 *New Yorker*.

Thin and anemic? A booster sheet? What's Remnick talking about? Beth Keiser, a photographer at the *Herald* until she quit in 1994, believes she knows. Earlier that year, the eight-year *Herald* veteran stumbled upon the kind of story that had attracted her to journalism in the first place. For six months she followed a street gang of middle-class teen-age girls from a suburban Broward County neighborhood. The girls, some as young as thirteen, took part in drive-by shootings, burglaries, and other crimes orchestrated by a group of older, street-hardened boys. Keiser's photos, the first of their kind at the paper, offered a shocking glimpse of the incongruous daily routines of the troubled girls: schoolchildren by day, violent criminals by night.

But *Herald* readers never saw her photo essay; managing editor Sandra Keyes and executive editor Doug Clifton spiked it. Their explanation, as Keiser and David Walters, the *Herald's* Broward County photo director, recall it: the paper was now leaning toward stories that offer "solutions" to community problems, not ones that simply display and encourage an "aberrant section of society." Walters says he and every other mid-level editor involved in the project protested the decision, but Clifton and Keyes held their ground. Clifton (who declined a request for an interview but later spoke with an editor and a fact-checker) says that

"gangs are a well-worn topic," and that he had opposed the idea when he first heard about it, before Keiser did the work. When some photos came in, he says, he saw no reason to change his opinion. "There were one or two strong pictures, the rest mediocre." Keyes backs him up.

Almost two years later, Keiser, who never knew of upper management's doubts until the end, still feels a sense of betrayal. When it comes to social issues, "*The Miami Herald* doesn't water down the news, it just ignores it," she says. "They're not interested in printing anything that will frighten their readers." Shortly after the incident she quit her job to accept a position in the Chicago bureau of The Associated Press.

Keiser is not the only staff member to express disillusionment over the *Herald's* brand of journalism these days, nor is she the only one to vote with her feet. In the past year some forty newsroom employees have moved on. And while the *Herald* has long served as a kind of training ground for American journalism's major leagues — *The New York Times*, *The Washington Post*, *The Wall Street Journal* — a surprising number of staff members have opted for less prestigious positions at smaller-market papers. "We've always lost people to other newspapers, but this is the worst it's ever been," says Kevin Hall, a former Sunday magazine executive editor at the *Herald* and now a professor of journalism at Florida International University in Miami. "Just when you think the morale can't get any worse, it gets worse."

What's the problem? Clifton argues that his paper's critics are people who in the past "deceived themselves into thinking we were a national newspaper. We're not, and we never were. *The Miami Herald* is an outstanding kick-ass regional paper. Our region is from Tallahassee to Tierra del Fuego."

Still, many staff members say flatly that the exodus of tal-

David Villano is a Miami-based free-lance writer.

ent is an unprecedented vote of no-confidence for *Herald* management and its strategies for boosting company profits. Despite robust earnings in recent years, the *Herald* is shrinking the size of its news staff, closing bureaus, and, perhaps more importantly, redefining its editorial mission.

To be fair, of course, this kind of unhappy drama is not unique to Miami. Many papers, the *Herald* included, face real financial challenges. And all across the country a lingering industry malaise, combined with the rising expectations of stockholders, has driven a philosophical rift between newsroom workers and their corporate employers. Journalists complain of corporate meddling in the newsroom; management complains of newsroom reluctance to reshape methods and mission. What separates the struggle in Miami from others around the country is the fact that the *Herald* is the flagship for Knight-Ridder, a chain with a reputation for putting the goal of high-quality journalism right up there with profit. The paper's unhappy reporters and editors cite a long list of complaints, but they generally agree on this: the newspaper industry may be ailing, but the *Herald* has been poisoned by its own frantic search for a cure.



Executive editor
Doug Clifton

nated. The paper's Sunday magazine, for example, dropped from four full-time writers to three; Miami city hall is down from two reporters to one; and in one swift move a year ago three assistant managing editor positions were axed.

More cuts are coming. In October, *Herald* management announced plans to eliminate 300 positions by the end of 1996, dropping total employment to 1,900. The newsroom will lose forty more positions, all through attrition, bringing the total down to 415. Without support staff, that will leave 325 reporters, editors, and photographers, down from 353. Already, newsroom personnel say, the paper is critically short-handed. "You used to always see these



Managing editor
Sandra Keyes

great long yarns that started on page one and then jumped inside," says Mike Wilson, a twelve-year *Herald* veteran who moved to the *St. Petersburg Times* last January. "You rarely see that anymore because the resources at the paper have been stretched to their absolute limit."

Along with the cutbacks, *Herald* management has unveiled a scaled-back version of the paper, which will debut in early 1996. Among the changes: two days a week the business and local sections will be combined; the Sunday life-style section will be eliminated;

and four days a week *El Nuevo Herald's* features and sports sections will be combined. *Herald* publisher David Lawrence,

The *Miami Herald* has long held a reputation as one of the very best of the "second-tier" newspapers. A decade ago, many at the paper envisioned it as an up-and-coming competitor to the nation's premier dailies. Former staff members proudly boast of the seven Pulitzer Prizes the paper won from 1980 to 1989. "In the early eighties we had the sense — a kind of arrogance — that we were the center of the universe for journalism," says Hall. "And in many ways we were." The paper established bureaus in Europe, Asia, and the region it saw as its special preserve, Latin America. Reporters were often dispatched across the globe to cover news. The *Herald* also spent heavily to position itself as a regional newspaper serving the entire state, with full-time news staff in satellite bureaus across Florida. To tap the growing Latin base in South Florida, it created a Spanish-language supplement, *El Nuevo Herald*, which many reporters hoped would become an independent journalistic force.

In recent years the paper has steadily lowered both its range and aspirations. *El Nuevo Herald* remains largely a translated version of the main paper, available only as a supplement to the English-language edition. Meanwhile, *Herald* bureaus in New York and Atlanta were closed, as were Florida bureaus in Naples, Stuart, and Fort Pierce. At the remaining satellite bureaus — Vero Beach, West Palm Beach, Tallahassee, and Key West — news staff is near-skeletal. In Miami and Broward, positions are being elimi-

'We're not a national newspaper and we never were. The *Miami Herald* is a kick-ass regional paper'

Jr., says the job and section cuts are expected to help the *Herald* increase revenues by \$28 million in 1996. That would be nearly a 10 percent increase over revenues in 1994 and 1995.

The paper's sense of purpose, according to many staff members, has been redefined by more than just cutbacks and downsizing. Increasingly, reporters charge, *Herald* management calls for stories that are lighter and less provocative. A former *Herald* reporter, Naftali Bendavid, now with *Legal Times* in Washington, D.C., says this disturbing trend emerged at the *Herald* in the early nineties, as reporters were encouraged to pursue "slice of life" stories rather than report on local government or social issues.

And while the *Herald* still does high-profile investigative work, particularly on such stand-by subjects as crime, public safety, and health, the paper's critics say it does less than it used to, and that such impressive work sometimes only serves to emphasize a somewhat diminished daily product. "Occasionally we would do a great piece of investigative reporting," says Bendavid, "but we wouldn't do enough good, hard reporting on a day-to-day level."

Foreign reporting at the *Herald* has also been restructured. While the paper has opened bureaus in South America, it has

cut back on the rest of the world, which has led to tension. Last summer foreign editor Juan Tamayo resigned his post following a dispute with Clifton over the *Herald's* Bosnia coverage. According to a report published in *New Times*, Miami's alternative weekly, the dispute arose after Clifton posted an e-mail memo on the paper's in-house computer bulletin board. In the memo, Clifton admitted to a shocked staff that he hadn't read a Bosnia story in two years, either in the *Herald* or *The New York Times*. "Why is that?" he wrote. "Some of it is my personal failure. I'm callous, shallow, parochial, and maybe even stupid. But more of it may be my — our — professional failure. We dutifully report each day's events, one a bit more horrible than the other, and pretty soon they all begin to look and sound alike." He went on to argue that the story must be told "in a substantially different way" and, while complimenting that day's Bosnia story in the *Herald*, went on to critique it: "I'm not sure readers cared so much that 'terrified Muslims' were 'rounded up, deported,' as our headline and story reported. Yes, I care about man's inhumanity to man, but I care more about whether this latest event brings the world or the U.S. closer to a brink. A reader — even a high-minded, liberal-thinking one with a world view — wants to know 'What does this mean to ME?'"

Clifton says he was trying to stimulate debate; he got one. Tamayo, in his own posted e-mail response, wrote that the *Herald* is in need of "editors who can get excited about foreign stories and transmit that excitement to readers." Too many editors have "rolled our editorial eyes" at foreign coverage, he wrote, "pronounced it too complex, too alien, too boring. Can't pronounce the names. They are still killing each other; who cares?"

"I don't believe this type of editorial MEGO culture — My Eyes Glaze Over — exists in any other U.S. newspaper that considers itself good," Tamayo wrote. "No other editor that I know has to ask himself why Bosnia is important to HIM. Certainly not at *The New York Times*, *The Philadelphia Inquirer*, and not even *The Dallas Morning News*, which, with something close to our circulation and resources, regularly sends staffers, and yeah, photographers, to Bosnia."

"I was taught that sometimes we have an obligation to tell the readers things they don't want to hear," says Ed Wasserman, a former *Herald* editor and now the chairman and editor-in-chief of the *Daily Business Review* in Miami. "But now we're seeing a new phenomenon, in which newspapers are trying to ally themselves with the masses in a kind of overt and deliberate and calculated way in order to deliver the information they'll want to buy." Some *Herald* newsroom critics see just this sort of trend at their paper, and they blame it on Knight-Ridder's growing fascination with "public" or "civic" journalism,

even though the paper's editors seem ambivalent about embracing that movement. (See "Are You Now, or Will You Ever Be, a Civic Journalist?" *CJR*, September/October.) "At *The Miami Herald* we don't practice public journalism," Clifton told a group of journalists at a conference late last spring. "But we think an awful lot about the concepts."

Herald editors are certainly not ambivalent about the use of readership surveys and focus-group research when shaping editorial assignments. In October, Lawrence released a memo to his staff announcing that the paper would focus editorial resources on nine subject areas: local government, education, sports, environment, consumer news, Florida news, health and medicine, Latin America, and crime. Lawrence says these "nine pillars of excellence" are the product of exhaustive reader-preference research combined with months of newsroom soul-searching. Although Lawrence angrily insists that other subject areas — such as world affairs, national politics, and economics — will not be ignored, the *Herald* has been ridiculed for adopting research-driven editorial policies. *New York Times* media reporter William Glaberson, for example, suggested the *Herald* was pandering, asking, "What if something other than a product recall happened in London, Tokyo, Denver, or, say, Bosnia?"

Clifton bristles at the suggestion that the paper's editorial mission has narrowed and grown less ambitious. "Let's look at the facts," he says. "I submit that we long have, will tomorrow, do today — publish strong stuff that doesn't shy from controversy. Always. Repeatedly." As examples, he cites a June series on NO-SHOW COPS, about thousands of suspects who went free because police officers failed to show up for pretrial hearings; a November look into the death of a man in a Miami hospital after, as detailed in an internal hospital investigation obtained by the *Herald*, he had been subdued by eleven hospital workers; and a number of pieces that ran last fall highlighting the holes in the state's murder case against a death-row inmate named Joseph "Crazy Joe" Spaziano.

"We're not provocative?" Clifton says. "Pick up any five columns by Leonard Pitts or Carl Hiaassen or Liz Balmaseda." (Balmaseda won a Pulitzer in 1993 for commentary.) Clifton says he is particularly proud of a series of paired commentaries by Pitts and Michael Browning — a black and white team who toured civil war and civil rights sites in the South in a van last year.

Publisher Lawrence bristles too. He specifically cites Bosnia as the kind of universally relevant story that the *Herald* will always find space to report. He also rejects any implication that local reporting has grown soft, noting a long tradition of award-winning investigative journalism at the paper. The *Herald* boasts fourteen Pulitzer Prizes and last year, Lawrence points out, it received top honors from Investigative Reporters and Editors for "Crime and No



Publisher David Lawrence, Jr.

Punishment," a 1994 series that explored the failures of the Dade and Broward County judicial systems. "Our fundamental responsibility will always be to inform our readers," says Lawrence. "And that means we'll always be committed to tough, aggressive journalism."

Lawrence arrived in Miami at about the time Knight-Ridder unveiled a new credo: "The customer is our obsession." Journalists tended to cringe at it, but the slogan encapsulated the corporate philosophy promoted by former Knight-Ridder c.e.o. James Batten for increasing readership at the company's newspapers. In a 1989 *Herald* news article announcing his appointment, Lawrence's mandate was laid out for readers: "Lawrence's appointment comes at a time when Knight-Ridder . . . has undertaken an intensive campaign to make its newspapers friendlier institutions, trusted and even beloved by readers."

Since then, the publisher's seat at *The Miami Herald* has been a pulpit of good will. Like few publishers in Miami before him, Lawrence has thrust himself into the community, sitting on numerous high-profile boards and committees, and contributing the company's money to local charitable causes. He pens a weekly column, typically profiling an unsung hero of the community or showcasing a reader's letter.

Lawrence prides himself on his public accessibility. His home phone number is listed. He encourages reader calls and letters and, as a rule, replies promptly. (He is also short-fused. When being interviewed, he's been known to snap at probing questions, a trait shared with executive editor Clifton. "Abrasive" is a word commonly used to describe the *Herald's* two senior executives.)

Lawrence does not limit himself to the activist-publisher role. Sometimes he returns to his news-side roots. (He was a member of the team that created *The Washington Post's* Style section, among other things.) Last fall, for example, the *Herald* published his lengthy account of a fact-finding trip through Latin America, where he interviewed various heads of state. His regular notes to reporters and editors commenting on their work — staff members call them "Dave Raves" — provide the newsroom with endless insights into the journalistic ethos of their publisher. Meanwhile, reporters say his arm reaches deep into the newsroom, shaping editorial policy and overseeing some reporting.

Since his arrival, these critics contend, the *Herald's* self-image seems to have evolved — from detached observer, serving as the community's ever-vigilant watchdog, to civic champion, promoting its causes and healing its wounds. Under Lawrence, staff members routinely moan, "compassion" has become the newsroom mantra. In fairness, the *Herald* has always been something of a civic leader. Publishers mingled with local power brokers and the paper threw money at charitable causes. But the newsroom remained insulated from those activities.

Critics say that wall may be eroding. *New Times* editor Jim Mullin, whose weekly paper ran a long critique of the daily — THE INCREDIBLE SHRINKING HERALD — in June, says he's noticed a distinct reluctance at the *Herald* to investigate what he calls "pure politics" — who has power and how it is used.

"The problem with the *Herald*," says Justin Gillis, a former *Herald* urban affairs editor who moved to *The Washington Post* last March after twelve years in Miami, "is that it wants to be warm and fuzzy but it also wants to be tough and aggressive. Well, that doesn't work, and the effect has been to undermine what the staff is doing."

Gillis contends that the paper's crusade of good will has triggered an alarming management-sanctioned practice he terms "special pleading" — the ability of prominent community figures to sidestep reporting by appealing to the paper's chiefs. In 1994, for example, the wife of a federal judge was brutally raped in her home. After receiving a late-night plea from the victim's family, Clifton instructed a copy editor to disguise the rape as an "assault." To Clifton, this was an extension of the newspaper's policy not to identify rape victims. He says that "the whole town" knew that the woman's home had been broken into and that if the paper reported the rape, "you've de facto identified her." The elderly woman's family was fearful of what the psychic pain of being so identified would do to her. "The public interest was equally served" by his decision, he says.

But to Gillis, the higher public interest would have been served by reporting that a rapist was on the loose in the area; that's

what the paper would have normally reported, he contends, except that a prominent person asked it not to. The decision not to report the rape incensed many staff members, and debate raged throughout the newsroom for days. "The widespread perception among prominent people in Miami, in the last several years," Gillis posted on the *Herald's* e-mail bulletin board at the time for the news staff to read, "has been that the way to deal with the *Herald* is to circumvent the reporting staff and talk to the top executives."

Gillis says other examples abound, primarily from the past three to four years. In another incident, he recalls, a well-connected Miami developer named Calvin Kovens, a social acquaintance of Alvah Chapman — a director and retired chairman/c.e.o. of Knight-Ridder, whose office is one floor above the *Herald's* downtown Miami newsroom — repeatedly threatened to use his influence if a reference to his past was not removed from an article about his questionable business dealing. Years ago Kovens had been convicted of mail fraud in a case that tied him to former Teamsters president Jimmy Hoffa. Kovens also was a minor Watergate figure who made controversial secret campaign contributions to Richard Nixon's reelection committee. Despite strong objections from some members of the news staff, Gillis says, Kovens persuaded senior management at the *Herald* to remove the references to his past.

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Some reporters say a similar problem occurs when stories are written about the pet projects of Knight-Ridder and *Herald* management. Certain organizations and institutions, they complain, are rarely opened to scrutiny. As an example, one reporter points to "We Will Rebuild," a private revitalization agency created by *Herald* and Knight-Ridder officials after Hurricane Andrew in 1992. While other local media reported on the agency's ineffectiveness, infighting, and exclusivity, the *Herald* produced mostly glowing accounts of its achievements: GROUP OUTLINES GOALS FOR REBUILDING S. DADE; HURRICANE'S UNSUNG HEROES ARE HONORED; and AS 'REBUILD' MONEY FLOWS, POOR GET SPECIAL ATTENTION.

John McMullan, a former *Miami Herald* executive editor who retired in 1983 after twenty-five years with the paper, says he's noticed the recent conflict at the *Herald*. "I admire their attempt to solve community-wide problems, but what I'm not certain of is whether they also are reportorially examining these issues and presenting them to the public."

More serious conflict-of-interest questions were raised three years ago after the *Herald's* coverage of a controversial decision to locate a proposed performing arts complex. County officials considered three sites for the \$170-million complex, including one adjacent to the *Herald* building on land to be donated by Knight-Ridder. Company officials lobbied hard for their site, and at one point *Herald* editor Jim Hampton wrote a signed column promoting the *Herald* site. Convinced that Knight-Ridder and *The Miami Herald* would unfairly benefit from increased property values once the complex was built, a group of local radio commentators openly challenged the *Herald's* objectivity in covering the story, claiming the paper's news reports did not disclose the widespread opposition to the Knight-Ridder site. The county commission selected the *Herald* site. Says Michael Lewis, editor and publisher of the business-oriented weekly *Miami Today*, which wrote extensively about the *Herald's* role in the controversy: "The *Herald* should not be placing itself in situations where it must function as both a newspaper and a developer, and it shouldn't be trying to influence elected officials for its own benefit."

Lawrence acknowledges his activist role. He also acknowledges the potential pitfalls for a paper that thrusts itself into community causes. But a paper the size of the *Herald*, he says, has no choice but to serve a leadership function. "There's no doubt we have a lot of power," Lawrence explains. "So the question becomes: how do we use it? The answer to that is to practice good old-fashioned journalism — tell people what's going on in their community."

Of course the readership challenge lies at the heart of

most newsroom debates today. The *Herald's* daily penetration in Dade County has fallen from 40 percent in 1985 to 36 percent a year ago. Penetration has also dipped in Broward County, where the population center of South Florida has shifted, an area that is now largely dominated by the Tribune Company's Fort Lauderdale *Sun-Sentinel*.

Nevertheless, the *Herald* is far from bleeding red ink. Knight-Ridder's 1994 annual report described the *Herald* as "the company's largest profit producer" during a year of record revenues, net income, and earnings per share for Knight-Ridder. Although the *Herald* does not disclose its own earnings, 1994 revenues topped \$300 million.



P. Anthony Ridder, chairman of Knight-Ridder

Analysts say revenues increased a disappointing 1.8 percent in 1995, and the year was a difficult one for Knight-Ridder as a whole. The prolonged labor strike in Detroit (see "Which Side are You On?" *CJR*, November/December) contributed to an 82 percent plunge in third-quarter earnings. Skyrocketing newsprint prices (an additional \$21 million at the *Herald* alone) and continued declines in readership were expected to depress year-end earnings. As a result, cost-cutting measures are expected throughout the company's thirty-two dailies. Knight-Ridder's two Philadelphia papers — the *Inquirer* and the *Daily News*, currently stuck at a profit margin of about 8 percent — have already announced sales price increases and the elimination of up to 250 jobs.

The measures come at a time of intense shareholder pressure to boost the price of Knight-Ridder stock, which has been stagnant for more than three years. P. Anthony Ridder, who succeeded Batten as Knight-Ridder's chairman last spring, has told the company's publishers to find ways to increase profit margins, partly by creating new products and services. Their bonuses are tied to financial goals. (The company-wide average profit margin is 16.5 percent, according to *The New York Times*, lower than such companies as Gannett and the Tribune Company, which have profit margins of 20 percent or more.)

Ridder's background in newspapering — he worked as a paper boy and reporter, and in advertising and accounting in his apprenticeship years — was mentioned by *The Wall Street Journal* recently, but the *Journal* went on to note: "So what's he paying attention to now that he's chairman and chief executive? Profit margins." His ascension to the Knight-Ridder throne, atop the *Herald's* waterfront newsroom and office complex, was met with considerable unease by newsroom staff throughout Knight-Ridder. He has been dubbed "Darth Ridder" for his bottom-line orientation. Before Batten's death last summer, many Knight-Ridder journalists believed the two men served as counterweights to one another. They worry now that Knight-Ridder may be losing its balance. ♦

gimme that

by Laura Italiano

NEARLY UNTIL HIS RED EYE flight back to Rome, John Paul II remained blissfully unaware of all this, but throughout his visit to the Northeast in early October his holiness was thoroughly digitized. His encyclicals were transubstantiated into hypertext. His portrait was converted into papal pixels, suitable for framing by computer screens anywhere in the world. And, more to the point for journalism, his trip was trailed by the largest digital press corps ever set up to report a live event competitively.

The New York Times, Newhouse New Media, and News Corp./MCI, owned in part by Rupert Murdoch, all covered the pope's visit for multimedia projects that appeared on the Internet's World Wide Web. Their audience — variously called “users,” “accessors,” and “consumers” in a medium whose advances in lexicon have failed to keep up with those of its technology — was a small one, probably numbering well below 100,000. The digital papal press corps itself was also small, numbering about twenty, mainly free-lancers and “shared” reporters whose first fealty was to file for their newspapers. Outside of the occasional use of digital cameras, their methods hardly blinked and buzzed in any hip, day-glo cyber-sense. These new-media reporters still phoned rewrite with their notes from the papal mass at rainy Giants Stadium. Runners still fought through crowds on foot to relay rolls of film back to traditional darkrooms.

Laura Italiano has reported for New York Newsday, The Press of Atlantic City, and other publications.

Still, this was a watershed event for news reported and published specifically for access on-line, a medium where, as yet, nearly all of the available journalism consists not of original reportage at all, but of “repurposed” text and photos, of news that previously ran elsewhere in print, broadcast, or on the wires.

As a free-lance Web consultant, I played a part in this group baptism for the infant medium of original on-line journalism. I launched the pope into cyberspace for the first news project of New Jersey Online, itself the first and flagship Web site of Newhouse New Media. For an atheist print reporter who still vaguely fears computers, this was a rather novel experience, one that raised more questions than I could answer at the time. And in talking afterward with the journalists and editors who are also involved with this medium — members of a growing but still tiny group — I've found that the most intriguing questions about original on-line journalism, or new media, as the genre is being called, still linger unanswered.

The very least of my own questions arose as I grappled with the unfamiliar, unforgiving codes and protocols of multimedia on-line publishing, working with equipment far more complicated than computer systems I used in newspapering. Should I telnet or FTP to access a papal JPEG? What technical and spiritual transgressions are revealed in error messages received while DeBabelizing his encyclicals? I knew I had come into my own the night I cooked dinner while downloading soundbites recorded from the archbishop of Newark — as the archbishop's voice traveled digitally from a mainframe in Jersey City into the

Macintosh in my Brooklyn apartment, I sedately sauted chicken cutlets. But I'm still wondering how I managed to mismanage a programmer's scripted algorithm, thereby accidentally sending his holiness hurtling backward in time through cyberspace. During the pope's first nineteen minutes on the tarmac of Newark airport, my Web site's “Hours To Arrival” countdown read “-1.”

The professional questions arising along my pope-escorted pilgrimage from print to on-line media were more serious and more interesting. As what's called a Web site “producer,” I wore many hats (the last of which, as I'll describe in a bit, was a miter — the papal millinary of the tall, pointed variety). New Jersey Online's pope staff was tiny, and, while delegating where I could, I still had to buy photographs, oversee publicity, be interviewed about the site by The Associated Press, and forward advertising queries to the in-house ad department, all on a project I also did some reporting for. Did I manage to handle a corporate checkbook and reporter's notebook without conflict? I hope I did, but I know I came close to crossing some lines I'd never been asked to approach as a print reporter.

Other print journalists who are forging ahead into the Wild West frontier of new media tell me they also ponder numerous questions concerning ethics, standards, and method, and discovering answers as we go along is part of what makes the field so intriguing. Graham Rayman, senior editor of the new on-line magazine called “Word,” wonders how the objective journalistic voice will change on-line, where attitude and opinion have always suffused story-telling. Ezra Palmer, news editor of The Wall Street Journal Interactive

on-line religion

Launching the Pope in Cyberspace



Edition, wonders whether on-line editions should scoop their print and broadcast affiliates, and how long corrections should stay on-line — as long as the error did? Longer?

And we're all wondering what happens to accuracy and clarity in a medium that is immediately updatable and has a limitless news hole. "At this point, it's still about learning," says Kevin P. McKenna, editorial director for The New York Times Electronic Media Company, who led the Times effort to cover the pope on the Web. The learning is happening at breakneck speed, leading McKenna to compare Web years to dog years: "One year on the Web is like seven years in any other medium."

Finally, there is the most basic question: What is this stuff called new media? How is it different, for better or worse, from old media?

The question was rephrased often as I worked on the project, in identical quizzings from archdiocesan spokespeople, my own mother, and a diminutive lady I tried to interview for a papal reaction story, before realizing that her candle- and saint-strewn Newark shop was actually a Botanica, where items are sold for a religion, Santaria, that is far removed from Catholicism.

"What is it, exactly, that you're doing to the pope?"

Some history and overview may be of help to print and broadcast folks who have only just heard of what one print editor I know still snarlingly calls "this computer stuff." The new-media critic and author Jon Katz traces the birth of on-line news coverage from January 1994, when a subscriber to the Prodigy service noticed that Los Angeles was shaking and used a wireless modem to post news of the earthquake onto the Internet. Katz, who covers media for *Wired* magazine, notes that within minutes, and well ahead of CNN or the wires, Internet users were trading information on the quake's location and damage, and offering detailed information to a pinpointed audience, notifying

survivors' distant relatives and even helping organize rescues.

Speed, niche marketing, freedom from the limits of a news hole and deadlines, and audience interactivity: this early

event demonstrates all the elements that, when combined, remain today what can elevate on-line journalism above its print and broadcast brethren. This is what those techno-geeks in your newsroom are so excited about. Now, though, when there's talk of on-line journalism, the reference is primarily to what's happening on the World Wide Web. The Web is the section of the Internet where stories can be told in pictures, sound, video, and

hosted such a forum. The New York Times site hosted nine. In these virtual meeting places, pro-choicers argued with pro-lifers. Women and gays criticized the pope's stands on homosexuality and the ordination of women and were criticized in turn. Religious scholars, Christian clergy, even a few rabbis talked about the pope's impact on their faith. No other medium offers its audience the chance for such active and immediate participation in a news story.

My own site took interactivity to what I thought at first was a bizarre extreme. Clicking on "E-mail the Pope" brought up a blank form where users could type a message and send it to New Jersey Online for forwarding to the Vatican. It was here that my virtual miter came in.

Every day from the last week in September through the first week of October, my personal

Newhouse e-mail account filled with messages prefaced "Your holiness," "To the pope," or simply "Dear Papa." I started out calling myself Keeper of the Holy E-mail. But the experience quickly overcame my cynicism about these electronic reachings-out.

I received 343 papal e-mails, from across the U.S. and from Canada, Mexico, and Europe, their text spanning five languages. Only a few were bizarre or off-

color, like one from a woman who wanted the pope's advice on getting an abortion, except she realized she needed to get pregnant first, or another from a gay couple at Princeton University who politely begged to be excommunicated: "Please send documents (one for each of us please)." Aside from these few — and one bomb threat against the Vatican — every message was one of praise or encouragement for the pope, or a personal plea for papal intercession for everything from failing marriages to dying children. One came from a woman who said she was crying as she wrote. A ten-year-old midwestern boy asked the pope if he liked hockey.

The Vatican fired up its holy modem and responded via e-mail. O magnum

SACRED SOUNDS

ONE YEAR ON THE WEB IS LIKE SEVEN IN ANY OTHER MEDIUM, SAYS A NEW NEW-MEDIA EDITOR

text, and where clicking on highlighted pictures and text — "hypertext" — carries you section to section.

In the papal visit site I produced for New Jersey Online, for example, users could click on the hypertext words "Sacred Sounds" to get a new screen that offered a selection of downloadable holy noises — the organ processional that would greet the pope at Sacred Heart Cathedral in Newark, for instance. Another

click, and you could download a papal blessing: "The peace of the Lord be with you always," in the pope's own voice. I ignored the warnings of a priest who, during a discussion on our mutual cyber-papal projects, told me, "Don't use him in English! He sounds like a vampire. If you quote me on that, I'll deny it."

The Web also allows users to interact with each other, and even with the journalists themselves, by typing their comments and opinions onto a blank form and hitting the "return" key. The comments either go straight to the journalist or site producer, as e-mails, or feed a larger "forum" that becomes a continuing record of what people are saying about the site or the topic at hand. News Corp.'s pope site, and my own, each

E-MAIL THE POPE

modem mysterium! "Pope John Paul II wishes to express his gratitude to all those who sent him greetings and have supported him with their prayers," wired Dr. Joaquin Navarro-Valls, director of the Holy See press office. I've posted the response verbatim at <http://www.nj.com/popepage/e-mail.html>.

E-mail the pope. Download a blessing. Chat in our Papal Forum. I defend these kitschy gadgets blushing, but resolutely. They weren't traditional journalism — that happened elsewhere in the site — but user feedback told us they were the site's most popular features. People wanted to interact, to hear the pope and hope the pope could hear them. Again, no other medium could offer them this.

"The Holy Father on-line!" one user wrote New Jersey Online. "My grandmother still doesn't believe me."

A look at pope coverage throughout the Web demonstrates the range of publishers putting news on-line. At least a dozen Web sites, from Time Warner's massive Pathfinder site to the tiny one run by the Archdiocese of Newark, offered special sections on the pope's visit. The commitment to original journalism also varies along a wide spectrum. Pathfinder covered the pope's visit with wire-service news briefs and material from the *Time* magazine archives — convenient content that is nonetheless derisively called "shovelware" by many new-media proponents — and then added a forum and links to the pope's writings. Most of the pope sites on the Web published something comparable, content drawn from print sources, with a few bells and whistles like sound bites and forums.

The sites that went beyond the routine were limited to News Corp., Newhouse's New Jersey Online, Pope TV (an experiment in live video feeds sponsored by a national Catholic foundation), and The New York Times, for which the pope's visit became the inaugural effort for bringing the gray lady to the Wild West Web.

"Our site was named Cool Site of

the Day by Editor & Publisher Interactive," McKenna of the Times boasted after the laboratory smoke cleared. "It was just something for both the pope and The New York Times to be called cool," says McKenna, a former foreign desk editor and deputy news editor at the paper. "That's something neither the pope nor The New York Times is accused of very much."

The Times's pope site was worthy of the accolade, and offered an idea of what to expect when the full NYT site launches sometime soon at <http://www.nytimes.com> — not only the paper's content as an authoritative foundation, but also regular updates on break-

It worked well — except when I was told, on deadline, that photos sent over by *The Star-Ledger* needed to be "opened" by a program called Graphic Converter. All I could find in searching the Internet was Graffik Konverter, the original German version. What to do with the pic-

DOWNLOAD A PAPAL BLESSING

IF ONE EMPLOYS THE ZWISCHENABLAG EINBLENDEN TOOL, WHO CLEANS UP?

ing news, a heavy focus on celebrity or newsmaker-moderated forums, and searchable access to the paper's vast archives.

The News Corp./MCI site, at <http://www.delphi.com/news/pope/index.htm>, offered the most ambitious papal package: biographical background on the pope, a delightfully irreverent, illustrated tribute by the cartoonist Doug Marlette, and a forum where users could match wits against the prose of celebrity commentators who included Ted Kennedy and Molly Yard. Stories from half a dozen reporters from the site's own newsroom were published on-line the following morning.

During the pope's two days in New Jersey, New Jersey Online, at <http://www.nj.com>, also published original news, although relying, as did the *Times*'s on-line offerings, on the work of reporters from outside our own offices. News editor Joe Territo wrote briefs and relayed feeds of photos and field notes he gathered from the newsroom of our Newhouse affiliate, *The Star-Ledger* of Newark. Free-lance designer Kevin Walker and I published this material on the Web as quickly and prettily as possible, working from New Jersey Online's offices in Jersey City.

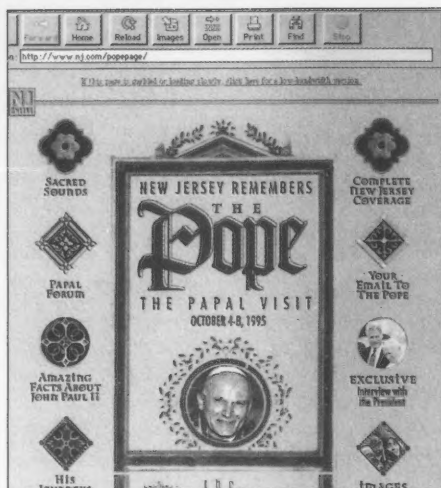
tures of soggy nuns in Giants Stadium? Do I abbrechen? Do I anlegen? And if I employ the zwischenablage einblenden tool, who would clean up afterward?

But for all our work, our on-the-scene coverage, and that of the Times and News Corp., were ornaments to the larger packages. Right now, digital journalism fares poorly against television in competitively reporting a major event like a papal visit. For two hours on October

4, New Jersey Online users could log onto a page that told them, in text, that the pope was currently saying mass at Sacred Heart Cathedral. Click here to hear the bells and organ procession that greeted him. But TV viewers could watch real-time footage of the mass itself. Real-time, TV-quality video streams may not be available to the average home computer system for ten years, and at least until then, TV will remain the best way to cover a real-time, national or international event.

New media will succeed by focusing instead on what they do best, as demonstrated in that early Prodigy earthquake coverage. It's quicker than print, and can be more local than the networks. Its bottomless news hole allows more depth than either print or broadcast, through searchable archives, databases and transcripts. And neither print nor broadcast has access to the killer application of on-line journalism: interactivity.

I have my own favorite new-media inventors, sites that are on the forefront of recreating journalism for on-line. From mainstream outlets, I thought ESPN's Web site covered the World Series in ways no other medium could — to me the best reason to bring origi-



New Jersey Online's electronic chronicle of the pontiff's visit

nal reporting to the home computer. Reporters staked out every pre-game batting practice, took questions from users logged into a forum, posed the questions to the players, then reported the answers back to the forum. In essence, ESPN's audience — described by the network as the largest audience of any on-line news site — could sit at home at their computers, interview players and see the responses almost in real time. (The ESPN site is at <http://espnnet.sportszone.com>.)

Unfortunately — and of great interest to anyone who, like myself, is looking at on-line journalism as a career option — there's hardly anyone out there yet to tell stories to. At press time, 580 newspapers and 425 broadcast stations were publishing on-line editions. But a recent Times Mirror survey reported that only 6 percent of America's wired population goes on-line to get news every day. Thirty-seven percent go anywhere from twice a week to every few weeks, 28 percent less often than that, and 29 percent not at all.

Likewise, there are few staff reporting jobs available in on-line newsrooms, jobs where writers compose anything beyond such scintillating reportage as “[Click here for our complete listings!](#)”

“We do not foresee having a separate reporting staff for the electronic version,” McKenna of the *Times* said

recently. “We’ll use stringers and *New York Times* reporters. It just doesn’t seem efficient to have a separate staff.”

His point is well taken. Why should companies like the Times, Time Warner, News Corp., or Gannett reinvent the wheel, when their Web editions can be easily and cheaply fed by photos and text from their print and broadcast affiliates? But there’s an opposing argument, which I find more compelling: the money and authority of the mainstream giants positions them perfectly to do the reinventing, and they ought to do it.

When New Jersey Online recently offered me a full-time staff position, I balked. Newhouse also plans to feed its first Web news site with photos and text from affiliate papers. I would be a producer, not a reporter.

And yet. And yet. The medium itself is seductive. Manipulating graphics and sound for the first time reminded me of the childhood thrill of discovering crayons. I looked through photos of antique Oriental Christian carpets for background graphics. Instead of planning the site using numbered outlines and flat page layouts, I drew nonlinear “content maps,” drawing layers of circles to chart the numerous ways a user might click around to navigate through the material. I’ve never had to think about telling a print story in this way. My storytelling toolbox is now brimming over with hypertext, clickable graphics, multimedia, and interactive databases.

Another attraction is the largely democratic nature of Web publishing. Jaron Lanier, an originator of virtual reality, once noted that on the Web, the American Defecators Society and Time Warner publish on equal footing. The power of the press belongs to anyone with the necessary equipment and software, which would put you or me back about \$2,500, starting from scratch with the purchase of a computer. In putting the pope in cyberspace, I competed, and I hoped held my own, against the goliath staffs of *The New York Times* and Rupert Murdoch.

And the new media still need journalists. “I think our role as arbiters and guides of news value really hasn’t changed,” says Palmer of The Wall Street Journal Interactive Edition, which is staffing with editors. “We’ve just stepped into this new medium, and are expected to do the same job.”

My managing editor at New Jersey Online, Susan Mernit, ultimately made me a better offer — I could be associate news producer for four days a week, with full benefits. I’m going to tell her I’ll take the job. I won’t be reporting — New Jersey Online will focus instead mostly on reformatting news, nurturing numerous “discussion” communities and constructing databases on everything from elections to recycling schedules. But the job will give me three days a week to build a free-lancing career in print while learning the tools of Web journalism at a company that’s caught on to the secret of niche marketing, and will therefore probably survive. I think I’ve found the perfect compromise: one foot in print, one foot in new media. Besides, Web years are like dog years. Who knows what new media will ask of their journalists seven years from now, in 1997?

James Mulholland is publisher/editor of the Catholic Information Center on the Internet and a board member of the Manhattan-based, nonprofit Catholic organization Path to Peace Foundation, sponsor of Pope TV, which posted a live video stream of the pope’s visit onto the Internet for the tiny population with the equipment to receive it. He described to me a private audience he had with John Paul II during the American visit. Mulholland showed him some of the on-line coverage and told the pontiff that he intends to build Web sites eventually for each of the world’s 2,500 Roman Catholic dioceses. The pope responded, “This is very, very good,” Mulholland remembered. “He was smiling there, but he’s a little inscrutable. He was smiling, but he wasn’t doubled over.”

I think I know how the pontiff feels. I’m not doubled over by “this computer stuff” just yet. But just like the pope, I am smiling. ♦

CBS *60 Minutes*, *and the* Unseen Interview

by Lawrence K. Grossman

The controversy over the aborted *60 Minutes* tobacco segment has raised enough issues and questions to fill an imposing journalistic tome on news practices, policies, and ethics. On one level it can be argued that for the public, CBS's decision last October to kill its interview with the highest-ranking executive ever to blow the whistle on the tobacco industry produced noteworthy results: ♦ Thanks to CBS's decision, the devastating allegations by the former vice president of research and development at Brown and Williamson Tobacco Corporation (B&W) captured continuing front-page coverage in the nation's press. The leaks about his charges probably

Lawrence K. Grossman is the author of The Electronic Democracy: Reshaping Democracy in the Information Age and former president of NBC News and PBS.

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got more sustained notice than the broadcast itself would have. They focused public attention on allegations that B&W, the nation's third-largest tobacco company, squelched research on "safer" cigarettes; altered documents to remove damaging references to the "safe cigarette" project; used an additive known to cause cancer in laboratory animals in its pipe tobacco; and in testimony by its chief executive, lied to Congress about the addictive qualities of tobacco.

The leaks about the charges in the interview probably got more sustained notice than the broadcast itself would have

◆ Government agencies have been encouraged to investigate a conspiracy to cover up evidence on the dangers of smoking, examine the question of perjury before Congress, look into accusations that the industry's scientific research is deceptive, and seek evidence that tobacco companies have deliberately chosen not to make less harmful

products even though they have the ability to do so.

◆ Americans have been alerted to the fact that tobacco companies and others, when faced with damaging exposure, are increasingly resorting to expensive, intimidating, take-no-prisoners litigation to circumvent the First Amendment, strong-arm the press, silence witnesses, and keep important facts from coming to the public's attention.

◆ The nation has also learned of the growing vulnerability of mainstream news organizations, which are becoming relatively minor subsidiaries of huge global corporations with multiple financial interests. Top corporate executives are paid to concentrate on their companies' bottom line and stockholders' returns rather than on their news divisions' responsibilities to the public. That vulnerability was exposed last summer when ABC caved in to a \$10 billion libel suit by Philip Morris (see "ABC, Philip Morris, and the Infamous Apology," *CJR*, November/December).

The *60 Minutes* controversy also served to tarnish the reputations of the network, of CBS News and of *60 Minutes*, the longest-running, most successful, and most honored news program in television history. Several of its squabbling big guns were taken down a peg or two. The tough newsmen who demand that others answer their questions didn't do so well with questions aimed at them.

On the personal level, the episode left several major casualties in its wake, among them: Jeffrey Wigand, a former B&W head of research, whose cover was blown as the CBS News source who pinpointed alleged tobacco company malfeasance; Lowell Bergman, a highly respected investigative producer for *60 Minutes*, charged by colleagues in the press with using flawed and unorthodox newsgathering tactics, and exercising questionable journalistic judgment; and Ellen Kaden, the widely admired general counsel of CBS, blamed for "running scared," "caving in," and even possibly "being guilty of a seri-

ous conflict of interest" in making the decision to cancel the *60 Minutes* exposé rather than risk a major lawsuit.

But before looking at the lessons for journalism to be learned from the many issues involved in the *60 Minutes* tobacco episode, here is the story of what happened, based on press reports, mostly from *The New York Times*, *The Wall Street Journal*, the *New York Daily News*, *The Washington Post*, and trade publications, and on interviews with principals at CBS who were directly involved. (Most stipulated that our conversations should be off-the-record and on deep background. A very few of the principals did not return phone calls or would not talk about the episode at all.)

THE REPORTING

Lowell Bergman of *60 Minutes* met Jeffrey Wigand in February 1994, while working on an investigative story about another tobacco company. The story alleged that Philip Morris had developed a cigarette that passed lower incendiary level tests and at the same time passed smokers' taste tests. Then, fearing lawsuits stemming from years of making cigarettes that were not "fire-safe," the company decided to kill the project and label its records about the work done on "fire-safe" cigarettes as attorney work product. That way, the records would be safe from discovery procedures by plaintiffs and government officials.

Bergman, a highly respected, independent-minded, and award-winning investigative producer, a twelve-and-a-half-year veteran of *60 Minutes*, had obtained 800 to 1,000 pages of confidential Philip Morris documents. An anti-tobacco activist tipped him off to a former B&W executive who lived in Louisville and who might be able to analyze the papers and help out as an expert consultant. Bergman called the former executive at home several times, but he would not come to the phone. Finally, using an old investigative reporter's trick, Bergman phoned late at night, woke him up, and said he'd be in Louisville at 11 A.M. the following morning, sitting in the lobby of the Seelbach Hotel reading *The New York Times*.

The executive who showed up in the hotel lobby at 11 A.M. was Jeffrey Wigand. A chemist with a doctorate in endocrinology and biochemistry, Wigand went to work for B&W in 1989 as vice president of scientific research, expecting to help develop a less harmful cigarette, his friends say. He was fired in March 1993, according to his lawyer, after B&W decided to kill his research. Once a \$300,000-a-year executive, Wigand is now a \$30,000-a-year Louisville high school teacher. He has two young daughters, one with spina bifida.

Wigand left B&W with a severance agreement that paid him for two years and continued his family's health insurance. In turn, Wigand had signed a confidentiality pledge. Not long afterward, in September 1993, B&W sued Wigand, suspending his pay and health insurance, after learning that he had complained about the terms of his severance to another executive at the company who also was being fired. In November, a tougher "nondisclosure settlement agreement" was negotiated and Wigand's severance and health insurance were reinstated.

Although Bergman did not know it when they first met in Louisville in February 1994, Wigand had been called more than a year earlier to testify in a Justice Department investigation of the

AP, SUSAN STERNER

industry's efforts to develop a "fire-safe" cigarette. In keeping with his confidentiality agreement, Wigand notified B&W about the Justice Department's summons. B&W provided him with counsel to protect its interests in preserving the company's confidential information. (This fall, B&W sued Wigand for breach of his nondisclosure pledge. In its complaint B&W charged that despite Wigand's sworn testimony to the Justice Department stating that the company was *not* able to translate its safer-cigarette research into the development of a "fire-safe" cigarette, the former executive had submitted an affidavit saying just the opposite in a Massachusetts case involving Philip Morris.)

At their first meeting in the Louisville hotel lobby, Bergman showed the former tobacco research executive eighteen pages of tobacco company documents, asked Wigand if he understood the scientific language and material in them and, satisfied that he did, offered to hire him as an expert consultant for *60 Minutes* to interpret the material and verify its contents. After the Louisville meeting, an agreement was quickly struck with the CBS News business affairs/legal department that called for Wigand to work as an expert consultant for *60 Minutes* for no more than ten days to provide a confidential report on the Philip Morris documents and be available to testify in court if CBS News were sued for its *60 Minutes* piece. The contract also specified that Wigand would not talk about any matters concerning B&W, and would not appear on the air.

Shortly before the *60 Minutes* story ran, Wigand came to New York to screen the final version of the piece and check its accuracy. The story on Philip Morris and inflammable cigarettes aired in March 1994. Wigand was reported to have been paid an estimated \$12,000 for out-of-pocket expenses and per diem on that assignment. The exact figure has never been revealed. Network news divisions customarily pay between \$500 and \$1,000 a day for expert consultants. So CBS's payments to Wigand for his time and expenses working on that *60 Minutes* piece were not out of line with general network practice. Not at all clear, though, was whether Wigand's work for CBS violated his confidentiality agreement. CBS's assignment involved Philip Morris, not B&W, but Wigand's knowledge of the tobacco industry's practices came from his work at B&W.

In any event, the trial judge in the Massachusetts case disallowed Wigand's appearance on the ground, among others, that the defense would be unable to adequately cross-examine Wigand without causing him to breach his agreement with B&W.

After the *60 Minutes* story on Philip Morris's incendiary cigarettes ran in March 1994, Bergman kept Wigand on his "tickler list," calling him periodically. Wigand told Bergman he had gotten a subpoena from the antitrust division of the Justice Department, as well as summonses to testify on cigarette health issues from Representative Henry A. Waxman and the Food and Drug Administration. Wigand was becoming known as an antismoking expert. (Under the terms of his contract with B&W, Wigand had to notify the tobacco company before he talked to the government officials, which he did. But apparently he had felt no obligation to tell B&W about his work for CBS News on the Philip Morris story.)

In April, Wigand, greatly disturbed, called Bergman to tell him he had received two anonymous telephone death threats

against his family, warning him to lay off the tobacco industry. He and his wife were frightened, but were afraid to call the local police, evidently concerned about the tobacco company's influence in town. Arrangements were made to help get the Wigans in touch with the FBI, which put on a phone cover that recorded several hang-up calls from pay phones, but no death threats.

Sources at CBS say Wigand told Bergman that when his



Jeffrey Wigand, once-secret source for *60 Minutes*, arriving at a Mississippi court in November with lawyer Richard Scruggs, right. Ordered to testify in Mississippi's case against tobacco companies, he has been ordered by a Kentucky judge to keep quiet

B&W severance pay ran out in March 1995, he'd be prepared to talk to *60 Minutes* about his experiences there. The two kept in occasional touch. Those contacts were reported to the CBS legal department, which raised no objection.

In March, Bergman submitted a "blue sheet" to *60 Minutes* proposing an investigative story on B&W. The "blue sheet" said a former executive of the company would be ready to talk soon. The proposal warned that B&W was a litigious company that had won a \$3 million libel suit, a record judgment, against CBS in the 1980s for a commentary by Walter Jacobson, a newsman on a CBS-owned station in Chicago. The commentary had accused B&W of pandering to children to hook them on cigarettes.

A few weeks later, *60 Minutes* staff producers went to Louisville to meet with Wigand. They had a pleasant dinner in a French restaurant and talked in "general terms" but did not get into specifics. Then, in April, a producer returned with an audio recorder to debrief Wigand. On that trip, a source inside CBS says, the producer learned that Wigand's confidentiality agreement would not expire on March 25, the date his severance pay ended, and flew back to New York with copies of the Wigand settlement documents.

Nevertheless, the producers knew in general terms what Wigand might say, even without yet getting him on tape or on camera. During that period, the University of California at San

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Francisco obtained papers revealing previously undocumented tobacco industry activities, especially activities of B&W and its parent company, the British American Tobacco Company (now B.A.T. Industries). B&W sued the university in an attempt to have its papers removed from the library shelves, claiming they had been taken illegally from the confidential files of its outside law firms.

In July 1995, articles focusing on the tobacco company documents at the University of California were published in a spe-



Laurence Tisch, right, CBS chairman during the *60 Minutes* imbroglio, with Michael Jordan of Westinghouse, which was buying CBS. Tisch says he knew nothing of the fight about the tobacco report until it was over

cial issue of *The Journal of the American Medical Association (JAMA)*. In its thirty-nine-page section, *JAMA* described the "massive, detailed, and damning evidence of the tactics of the tobacco industry" that the documents revealed. The papers, *JAMA* said, were "from Brown and Williamson Tobacco Corporation (B&W), the British American Tobacco Company (B.A.T.), and other tobacco interests provided by an anonymous source, obtained from Congress, and received from the private papers of a former B.A.T. officer."

B&W eventually lost its suit against the university and the complete indexed document set remains on deposit in the Archives and Special Collections Department of the University of California, San Francisco, Library and Center for Knowledge Management. (They are available on CD-ROM and via the Internet's World Wide Web at <http://www.library.ucsf.edu/tobacco>.)

Throughout the early summer of 1995, Wigand tried to decide whether or not to go on camera for *60 Minutes*. He was nervous and uncertain. At one point, Wigand and his wife, who worked nights in a Louisville clothing store to supplement Wigand's teaching income, flew to New York, presumably to be interviewed on videotape, but they backed out at the last moment. Wigand's wife, in particular, was deeply anxious, concerned, and worried about the fallout from his anticipated *60 Minutes* appearance. Sources say Wigand wanted to tell the story out of concern for what the tobacco company was doing

to the health of its millions of customers and out of guilt for keeping quiet about his own inside knowledge of what he considered to be its criminal activities, even if his speaking out would clearly violate his confidentiality agreement. Wigand thought he might be able to get out from under the tough nondisclosure restrictions on the grounds that, he felt, the agreement was "virtually extorted from him" and that it should not be enforceable, because it required him to hide information about the company's alleged criminal activities.

In June, Wigand's lawyer asked CBS News to provide written indemnification for his client's legal fees and costs if he were to be sued for libel by B&W as a result of his appearance on *60 Minutes*. One of CBS's in-house lawyers who works on *60 Minutes* matters, Jonathan Sternberg, responded that CBS would agree to indemnify Wigand for libel as long as he went on camera and told the truth.

In July, the *60 Minutes* producers learned that the Justice Department had opened a criminal inquiry into possible perjury by top tobacco company executives in their testimony before a congressional committee denying that nicotine is addictive. It looked as if Wigand would be called in that inquiry to testify about his research at B&W. They also learned that Wigand was listed as an expert defense witness for ABC in the Philip Morris-R.J. Reynolds libel suit. The *60 Minutes* staff felt a certain urgency about getting Wigand on videotape so that if in any of his court appearances, he should be ordered not to talk to the press, Wigand would be able to say an interview with *60 Minutes* had already been videotaped without violating a court order. The *60 Minutes* group also wanted "to get his information in the can" so they would have time to corroborate his assertions and check his statements with information that was available in the B&W papers and other sources. (The documents at the University of California covered the years before Wigand started working at B&W.)

On August 3, Wigand and his wife finally agreed to be interviewed by Mike Wallace. Because the Wigans were still so fearful about what they were doing, Bergman gave Wigand a hand-written note assuring him that CBS would not air the interview without first getting his permission, and stating that they would discuss the matter further on September 3, a month after the taping. The show felt the need to have a commitment by a date certain, rather than risk dragging out the issue indefinitely. In a later interview with *The New York Times* Bergman explained that his intent "had not been to give Mr. Wigand any sort of 'veto power' over the report, but instead to be considerate of the difficult position in which Mr. Wigand found himself" in view of the effects a lawsuit was likely to have on his financial situation and the health problems in his family.

Later in August, after the interview had been recorded, CBS received a letter from Wigand's attorney, Richard Scruggs, stating that he wanted CBS's libel indemnity extended to Wigand's wife, who had also been interviewed by Mike Wallace. In addition, the attorney asked, what would happen if his client were hit with a lawsuit for breach of his nondisclosure contract, as was a likely prospect. He proposed that CBS indemnify Wigand in the event of a breach of contract lawsuit as well. CBS rejected that request, while agreeing to indemnify

SYGMA, ALAN TANINEN/BAUM

the Wigands for libel as long as they told the truth. Later Scruggs wrote to CBS stating that if CBS broadcast the interview, it would be considered to have agreed to indemnify his client not only against libel claims but also against possible breach of his nondisclosure contract.

TO BLACK ROCK

It was during this period, sources say, that the matter moved outside the circle of the regular *60 Minutes* staff on Manhattan's West Fifty-seventh Street, and traveled over to the thirty-sixth floor of "Black Rock," the elegant CBS corporate headquarters on Sixth Avenue, where the CBS legal department has its offices. According to one account, a copy of the CBS correspondence about indemnification was sent to *60 Minutes* senior producer Phil Scheffler, the internal journalistic ombudsman for the series, keeper of its editorial standards, and an experienced, respected news executive. Scheffler passed the correspondence along to CBS News president Eric Ober, who forwarded it to Ellen Kaden, the general counsel for CBS. A former litigation specialist, she is well regarded in the industry for her intelligent approach to corporate problems. At the time, she was deeply involved in the merger and acquisition agreement between CBS and its about-to-be new owner, Westinghouse. According to other reports, Kaden had already been alerted to the story by two CBS lawyers, Jonathan Sternberg and Richard Altabes, who worked for her and dealt with *60 Minutes* matters. Kaden decided that she had better become directly involved.

On September 5, Bergman, who lives in Berkeley, California, stopped in New York on his way to London, where he was going to try to corroborate the information in the Wigand interview with retired executives of B.A.T. Industries, B&W's parent. Instead, Bergman was told he had to stay in New York and meet at Black Rock the next day with Sternberg and Altabes. In his more than twelve years at CBS Bergman had never set foot in the CBS corporate headquarters. The long session with the two lawyers on September 6 to review all the facts was the first in a series of three intense meetings that culminated in the decision to abandon the Wigand interview.

A rough assembly of the *60 Minutes* piece had already been put together. After the September 6 meeting at Black Rock, the tape assembly was refined and a draft script prepared for discussion at future meetings on the subject. On September 12, all the CBS principals gathered in Eric Ober's conference room to discuss the case: Bergman, CBS general counsel Kaden, *60 Minutes* executive producer Don Hewitt, CBS News president Ober, senior producer Scheffler, the in-house lawyers, and correspondent Mike Wallace. Sources say that Ober had specifically asked Kaden to come to the meeting along with the other lawyers. At the meeting, which went on for hours, Bergman briefed the group on the story's status. He mentioned that Wigand had recently been subpoenaed in the criminal investigation involving allegations of perjury by top tobacco officials. That inquiry was said to be concentrating on the two executives whose statements were the most damaging, Andrew H. Tisch, until recently chairman of Lorillard Tobacco Company, and James W. Johnston, chairman of R.J. Reynolds Tobacco. Tisch is the son of Laurence Tisch; the Tisch family controls

Loews Corporation, which also owns Lorillard and, before the Westinghouse deal went through, was CBS's parent company. Lorillard, meanwhile, was negotiating to buy six cigarette brands from B&W. A participant in the meeting in Ober's conference room was reported to have asked sardonically whether anyone there really expected any of them to tell Laurence Tisch that his son might be indicted with the help of a *60 Minutes* source.

At the meeting, they discussed the fact that Wigand had been



Mike Wallace said, "We argued with the attorneys and we lost." Executive producer Don Hewitt, talking of the potential for losing a huge lawsuit, said of the lawyers, "I have to listen to them"

listed as a witness in the Philip Morris-R.J. Reynolds libel suit against ABC, and that B&W had intervened to block his appearance. The case against ABC, which had just been settled the month before, with ABC paying Philip Morris a reported \$15 million for legal costs and apologizing for the story, was much on everyone's mind. They also reviewed Wigand's involvement in the Boston case against Philip Morris, dealing with deaths from fires caused by cigarettes. That was the case in which B&W alleged that Wigand had contradicted himself.

Much of the meeting, a number of those present said, was spent trying to find ways to present the story while minimizing the risk to *60 Minutes*, CBS News, and CBS itself. Hewitt proposed to block out Wigand's face and not reveal his name. Ober suggested trying to tie the story to Wigand's grand jury testimony. The lawyers doubted that would help the situation. They discussed whether Wigand's nondisclosure contract might be unenforceable in view of the public interest considerations in exposing the truth and the existence of a whistleblower protection law in Kentucky, the likely venue for a B&W lawsuit. They discussed whether Wigand could sue to get out from under the nondisclosure contract, an effort that could drag on for years. Another option was to do the story without Wigand, but the news people, especially Wallace, argued vehemently for keeping the interview in.

Hewitt, someone at CBS said, viewed the tobacco exposé as a potentially big, high-visibility, muckraking opportunity that could help his show during the fall sweeps period. Ratings had

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been falling that season, mostly because CBS had lost the rights to televise National Football League games, the show's powerful lead-in, and because of the recent defection of key CBS affiliates to other networks.

There was reportedly no discussion of how the story might affect the tobacco interests of Larry Tisch or the impending merger with Westinghouse. The participants engaged in what one source described as a "typical newsroom analysis of the issues facing *60 Minutes*." Several participants reported that



Lowell Bergman cultivated the controversial source, developed the story, and came under fire in the press after the interview segment was killed

general counsel Kaden warned that, like ABC, they could be risking a \$10-billion to \$15-billion lawsuit over the story. But the CBS lawyers present were careful not to suggest that the information, if true, should be withheld.

The September 12 meeting concluded with the general counsel's decision to retain outside counsel to examine the extent of the risk, and, specifically, give an opinion on CBS's exposure on the breach of contract issue. The next day, Ober, who had said little during the meeting, was asked to clarify the status of the story. He is said to have replied, "The corporation

will not risk its assets on the story and that should be clear from yesterday's meeting."

Bergman, a CBS source said, then asked one of the in-house lawyers whether he could go to Louisville to debrief their source and, if possible, get whatever diaries and records he could so they would at least have all the facts at their disposal. The lawyers offered no objection, so a few days later Bergman flew to Louisville and headed to Wigand's house. Not long after he arrived, the phone rang. Bergman was told to leave immediately and do nothing that B&W might be able to construe as evidence of CBS's interference with their contract with Wigand. The general counsel was deeply concerned about a possible tortious interference suit against CBS by the tobacco company regarding that contract. Bergman did as he was told and left Louisville.

THE OUTSIDE COUNSEL

On October 2, more than a month before anything on the tobacco story was to run on *60 Minutes*, the last general meeting on this subject convened in Ober's conference room. This time Kaden, who was too busy to go across town to the CBS news center, participated by speakerphone from her office in Black Rock. She discussed the fact that CBS had retained P. Cameron DeVore as outside counsel to examine the legal issues surrounding the Wigand interview. DeVore, a partner in a Seattle law firm, is a nationally known, highly respected, and well-liked First Amendment defense lawyer. He was counsel

for CBS in the 1983 Chicago libel case won by B&W, although nobody blamed DeVore for the loss. Unlike prominent First Amendment defense attorney Floyd Abrams, who had been retained by ABC to help draft its apology to Philip Morris and who represents the tobacco industry on a commercial speech issue, DeVore had no tobacco industry clients.

DeVore's information about the facts and background of the *60 Minutes* piece came from information he received from the CBS in-house lawyers. No one at *60 Minutes* or CBS News ever talked to DeVore before or after he provided his opinion. Over the speakerphone, Kaden reported to the group in Ober's conference room that DeVore had indeed confirmed her view that if *60 Minutes* went forward with the interview, it would face the likelihood of a substantial lawsuit and a risk that CBS might be found guilty of tortious interference. Other issues existed as well, such as whether CBS could even broadcast Wigand's interview without his permission, which had not yet been granted. There was concern that other facts may not yet have surfaced in view of the story's long gestation period. To this day, no one at *60 Minutes* has heard or seen DeVore's report, if, indeed, it was ever written. No one at CBS News knows whether in DeVore's opinion the odds of losing a lawsuit would be big or small, whether it was a close call or a major risk, or whether some of the problems he found could have been resolved with further work on the story.

A major concern expressed was the potential cost of a lawsuit. There was a consensus at CBS that if it were to lose the case in the tobacco-friendly state of Kentucky, the company could face a sizable financial verdict and a long and expensive appeals process. Unlike Virginia, where the Philip Morris case against ABC was brought and where punitive damages are limited by statute to a maximum of \$650,000, in Kentucky no statute restricts the amount of a verdict in such cases. Moreover, in order to bring an appeal in Kentucky, CBS would be required to put up a deposit of 10 percent of the judgment against it. If the judgment were in the billions, the deposit obviously would be sizeable. People talked about whether the story was worth "betting the company" for.

THE DECISION

Kaden concluded that, based on all she had heard and what she knew about the nature of the parties involved, the interview posed too many problems and risks to be shown on *60 Minutes*. Too many questions remained, she felt, and any further efforts by CBS to find the answers might only serve to solidify the case against it for tortious interference.

Although CBS Broadcast Group president Peter Lund did not return my phone call asking about his role in the decision, others directly involved in the discussions confirm that Lund was consulted and said the interview should not run. Similarly, CBS News president Eric Ober would not discuss the case other than to refer to his memo to the CBS News organization of November 19, which said, "The decision was made by CBS NEWS management in consultation with CBS attorneys."

Former CBS chairman Laurence Tisch, by contrast, was not reluctant to talk about his role, or rather his total lack of a role. Tisch said not only did he play no part in making the decision,

he knew nothing about the matter until after the interview had been scuttled, when he was informed by Kaden of "her decision." The CBS chairman was in the hospital during that period, undergoing surgery for acute appendicitis. And since the *60 Minutes* issue involved tobacco, Tisch said, it would not have been brought to him to resolve in any event. During the years he was chairman of the broadcasting company, Tisch said, *60 Minutes* and other CBS News programs produced many hard-hitting tobacco stories. Don Hewitt, no admirer of Larry Tisch, as both he and Tisch were quick to point out, confirmed that the chairman had never raised any questions about the program's tobacco exposés.

Just how seriously Hewitt regarded the prospect that CBS might risk losing billions of dollars if *60 Minutes* were to run the story was reflected in a speech he gave at the National Press Club in Washington, D.C., on October 17. Hewitt cited an investigative report about the tobacco industry that *60 Minutes* was working on: "We have a story that we think is solid. We don't think anybody could ever sue us for libel. There are some twists and turns, and if you get in front of a jury in some states where the people on that jury are all related to people who work in tobacco companies, look out. That's a \$15 billion gun pointed at your head. We may opt to get out of the line of fire. That doesn't make me proud, but it's not my money. I don't have \$15 billion. That's Larry Tisch."

ENTER THE PRESS

With the air date for the story approaching, on Thursday, November 9, the tobacco controversy erupted in the press. In a page one story, *The New York Times* broke the news that "CBS's lawyers ordered the news program *60 Minutes* not to broadcast a planned on-the-record interview with a former tobacco company executive who was harshly critical of the industry." The *Times* story revealed that the reason for killing the interview was not a threat of a suit for libel, but the fear that CBS might be held legally responsible for causing the executive to break a nondisclosure agreement with the tobacco company. Both Wallace and Hewitt were quoted as agreeing with what *The Times* called "the lawyers' decision." Wallace commented, "The ABC lawsuit did not chill us as journalists from doing the story. It did chill the lawyers, who with due diligence had to say, 'We don't want to, in effect, risk putting the company out of business.'"

In the same article, CBS News president Ober denied that the interview was shelved solely for legal reasons. "We looked at the story very carefully," Ober said. "A contract is a contract. I felt for a number of reasons, both editorially and legally, that changes had to be made in the piece." Ober's comment is puzzling because when he saw it, the story was still in rough cut form and any editorial changes he required could most likely have been made before the segment was aired. According to one source, Ober objected to the fact that Wigand's death-threat allegations led the story, a problem that could readily have been fixed. On the other hand, Ober's editorial concern may have referred to the question of whether CBS had the right to run the interview at all since Wigand had yet to give his permission. Any further effort to persuade Wigand

would have been seen by the lawyers as adding to the risk of a tortious interference lawsuit.

On the heels of the *Times*'s revelations, the CBS News team began to act in public like a dysfunctional family, as one critic described it. Dan Rather lashed out at his network's lawyers for forcing *60 Minutes* to "back down." "I'd rather take my chances in front of a jury than take my chances in front of corporate lawyers," Rather told syndicated radio host Don Imus. *The Washington Post* quoted Mike Wallace, "We argued with the attorneys and we lost." The *Post* quoted anonymous CBS employees who attributed the decision to the fact that "CBS executives did not want to impede the [Westinghouse] takeover which, with the cashing out of stock options, will bring CBS News president Eric Ober \$1.46 million and general counsel Ellen Oran Kaden, who led the legal team, \$1.19 million." Ober's response labeled those assertions "absurd" and "a self-serving cheap shot."

On Sunday morning, November 12, the *Times*

published a withering editorial charging CBS with cowardice and worse. That night, *60 Minutes* broadcast its watered-down version of the tobacco story. Narrated by Mike Wallace, it examined how cigarette manufacturers try to prevent important information from reaching the public. Only a small piece of the Wigand interview was included, without showing his face or revealing his name, and with another voice reading his words about the death threats. Wallace said that *60 Minutes* had requested interviews with B&W and the other tobacco companies, but they refused.

In an unprecedented "personal note" at the end of the broadcast, Wallace expressed his dismay "that the management at CBS had seen fit to give in to perceived threats of legal action against us by a tobacco industry giant. . . . We lost out, only to some degree on this one, but we haven't the slightest doubt that we'll be able to continue the *60 Minutes* tradition of reporting such pieces in the future without fear or favor." About this personal note, the *Daily News* reported that "Peter Lund, who as president of the CBS Broadcast Group approved Wallace's remarks for broadcast, said he initially resisted doing so. 'My visceral reaction,' Lund said, 'was that he [Wallace] was not going to go on our air and say he was dismayed by this management decision. . . . Although it seemed unusual and prece-

dential and I'm not sure that I'd approve it for some other program at some other time, I said, You know what? Go ahead.'"

Using an old
reporter's trick,
Bergman phoned
late at night and
told the source
he'd be sitting in the
lobby of the
Seelbach Hotel
the next morning,
reading the *Times*

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GOING PUBLIC

On Monday, November 13, Charlie Rose, the PBS late-night talk show host, invited Wallace, former *Washington Post* editor Ben Bradlee, and First Amendment lawyer Victor Kovner on his show to talk about what had happened. That evening, as Wallace was leaving his CBS News office to tape the show, he ran into fellow *60 Minutes* correspondent Morley Safer and invited him to come along. "Sure, why not?" Safer replied.

On the show, the two flailed away at the CBS lawyers. Safer described the tortious interference question as "not really hav[ing] much case law going for it." "It is out of the question," he assured Rose, that Wallace and the producer "induced this guy [the interviewee]." "[H]e wasn't paid, he wasn't threatened, he wasn't promised anything other than an opportunity to speak, an opportunity to . . . exercise his First Amendment rights on our air." Safer added, "To me, it's an open-and-shut case for CBS News, and I am, as Mike is, dismayed by the decision of our lawyers."

On the issue of tortious interference, attorney Kovner, who teaches this aspect of the law, insisted that the cases are rare, "maybe a couple a year, out of the tens of thousands of claims." If, for example, Kovner hypothesized, CBS had paid this interviewee \$10,000, that would raise an issue, but, "According to Morley, there was no payment. There was no inducement. . . . The law could not be more clear. . . . CBS is not liable, as a matter of law . . . for tortious interference with contractual relations."

When, later in the Rose show, Kovner learned from Wallace that Cam DeVore was the outside counsel who raised questions about the story's risk, he quickly changed his view: "If Cam DeVore issued such an opinion, there are facts that we don't know and I think CBS management has a duty to at least set forth some of them because the implications are, quite frankly, ominous."

Three days later, on November 16, the same day that CBS stockholders met to vote on the Westinghouse buyout, *The Wall Street Journal* published a page one story that had some surprising new facts. CBS LEGAL GUARANTEES TO 60 MINUTES SOURCE MUDDY TOBACCO STORY, read the *Journal's* headline. It reported that CBS had not revealed the facts that the *60 Minutes* source had been given a \$12,000 consulting fee for a previous show, that CBS had granted him indemnity against libel lawsuits and veto power over the CBS News report, and that CBS had not received permission from the interviewee to air the interview. *The Journal* came to the conclusion: "There's more to CBS's recent decision to kill a hard-hitting tobacco story than meets the eye."

The next day, the New York *Daily News* published the name of the *60 Minutes* source (not that lawyers at B&W would have had the slightest trouble figuring out the identity of the anonymous former tobacco company executive) and someone at CBS News leaked the entire transcript of the never-aired *60 Minutes* interview to the paper.

The *News* reported all of Wigand's major allegations: "According to the transcript," the *News* said, "Wigand charged that Brown and Williamson scrapped plans to develop a safer

cigarette and knowingly used a pipe tobacco additive that causes cancer in lab animals. He also said he believed a company executive had committed perjury by testifying in Congress that nicotine is not addictive." Former B&W chief executive officer Thomas E. Sandefur, Jr., was quoted as telling Wigand, "If we pursue a safer cigarette, it would put us at extreme exposure with every other product. I don't want to hear about it any more."

The *News* article went on to reveal that Wigand told *60 Minutes* that the tobacco company's lawyers "altered documents in an attempt to delete any references to the company's efforts to make a 'safer cigarette,'" and that Sandefur had perjured himself in his congressional testimony because he knew that cigarettes were "a delivery device for nicotine." Wigand said, according to the story, that "Brown and Williamson knowingly continued to use a pipe tobacco flavoring additive known as Coumarin despite laboratory evidence that it caused tumors in the livers of mice. 'I wanted it out [to the public] immediately, and I was told it would affect sales, and I was to mind my own business,' Wigand said. Questioned by Wallace, Wigand said the company used the additive at 'a hundredfold the safety level.'"

Giving details about the anonymous death threats, the *News* said that "shortly after informing Brown and Williamson of his contact with Justice Department investigators, Wigand told *60 Minutes*, he got two threatening phone calls. In one call he said he was warned: 'Don't mess with tobacco.' In the second call, he said, the same voice warned him to 'leave tobacco alone or else you'll find those kids [his children] hurt. They're pretty girls now.'" Asked by the *News* about the transcript of the unseen interview, Wigand said, "Read it, and do what you like with it. I have no comment."

The following day, Saturday, November 18, newspapers reported that B&W accused CBS of "improperly persuad[ing] Wigand to reveal information about the company" and accused Wigand of breaching his confidentiality agreement. B&W's vice president of corporate communications, Joseph Helewicz, charged CBS with leaking the transcript even though the network was "properly unwilling" to go on the air with the interview. The tobacco company sent a letter to CBS charging that publication of the interview by the *News* "constitutes a further violation of B&W's legal rights, including intentional, knowing and malicious interference with B&W's contractual right and adds significantly to the harm suffered by B&W." Wigand's lawyer was quoted in *The Wall Street Journal* as saying that Wigand was "upset that the story was leaked," and adding that the leak was in violation of Wigand's understanding with CBS when he gave the interview.

At the same time, the press quoted with relish a statement put out by Morley Safer claiming Wallace had "sandbagged" him on the Charlie Rose show by not leveling about the tobacco story. His CBS News colleagues, Safer said, had "deliberately suppressed" the agreements with Wigand, and Wallace had left him "twisting slowly in the wind." Safer publicly apologized to Charlie Rose and his audience for misleading them the previous Monday night. He also apologized to the CBS lawyers who, Safer wrote, "it seems were exercising more due diligence than the people accusing them of caving in." In an

SYGMA, KELLY JORDAN

interview with *The New York Times*, Safer lobbed another grenade at his own colleagues: "It gets very, very muddy when money has crossed the palm."

Safer's outburst prompted an exasperated Bergman to defend himself by sending a memo to the staff: "Morley apparently felt no responsibility on his part to check out his facts before making damaging allegations about me. . . . Let me reassure you that nothing was 'suppressed.'" The producer also revealed that the staff was "under instruction from the general counsel not to reveal anything."

Andy Rooney, *60 Minutes*'s curmudgeonly commentator, entered the fray. In his syndicated newspaper column, Rooney charged that Hewitt had demanded cuts in his on-air commentary criticizing CBS chairman Tisch and the decision not to run the tobacco interview. "I couldn't decide whether to quit or sigh in relief," Rooney wrote. "Instead of doing either, I cut out some of the objectionable portions of my script and gave them the shortest piece I've ever done at *60 Minutes*." Rooney then chastised Hewitt for taking off for Europe in the midst of the fracas. In his *60 Minutes* script on November 19, Rooney concluded, "What happened here at *60 Minutes* last week is good evidence of how difficult it is to report on business . . . in this case, the tobacco business. See you next week, maybe."

In an interview with *The Washington Post* that ran three weeks later, Hewitt defended his insistence on cutting Rooney's script. "I'm perfectly comfortable with lawyers making decisions for the corporation they represent," he said. "What I'm not comfortable with is anybody trashing an organization and taking a paycheck at the same time. You don't like what they did? Leave!"

News president Eric Ober tried to regain control of the situation. In a two-page memo, Ober did his best to set out news management's position on the issues to the staff. "Many different factors were weighed in determining whether the proposed story carried legal risks and journalistic problems," Ober wrote, but he emphasized, "nothing improper was done during the newsgathering process by anyone involved." Ober was especially critical of the "inappropriate" conduct of some who disagreed with the decision not to air the interview, saying "the free-for-all that ensued resulted in the identification of a confidential source. Allowing the identity of a confidential source to become known is one of the most egregious violations of journalistic ethics and tradition. . . . While we do not know who released the source's name or how a draft transcript of the report was removed from CBS News and delivered to another news organization [the *News*], CBS News greatly regrets this and will provide full indemnification to the source."

Thus, CBS was forced to take the very step it had refused to take two months earlier. It put itself on the hook to indemnify Wigand for breaking his nondisclosure contract. An internal analysis from the *Times*'s legal department was critical of CBS's timidity. It concluded, "Without even putting up a fight, CBS has managed to create an ugly precedent. 'Tortious interference with contract' has now been added to the legal armory of enemies of the press without so much as a single [court] decision endorsing it."

THE LEGAL FINE POINTS

Along with the press feeding frenzy came many lawyers, most of them First Amendment specialists, offering their professional opinions in articles, letters to the editor, and responses to reporters' questions. The *Times* quoted Joseph B. Jamail, the Houston lawyer for Pennzoil, which won a lawsuit against Texaco for tortious contractual interference with Pennzoil's planned merger with Getty Oil. The \$10.5 billion judgment for Pennzoil had put Texaco into bankruptcy court in 1987.

Still, Jamail was surprised that CBS would pull back from its tobacco exposé. "If you've got as much backbone as a banana, you go with that one," he said. "I just don't see the damages."

In a letter to *The Wall Street Journal*, Floyd Abrams deplored the attacks on CBS general counsel Ellen Kaden for carrying out her obligations to advise CBS of what risks were posed.

And in a forum at the Columbia Graduate School of Journalism, Abrams revealed that in about a third of his cases, his media clients are being sued for claims that circumvent the First Amendment and libel law. He cited cases of claims against the press for contract violations, fraud, intrusion into privacy, intentional infliction of emotional injury, federal and state RICO laws, and even the Ku Klux Klan Act prohibiting wearing disguises in certain circumstances. Although plaintiffs' lawyers "have been very creative and often failed," Abrams said, "there's no doubt that I consider a clear and present danger to broadcast journalism . . . the proliferation of these other sorts of claims as to which we simply don't know the answer . . . about whether there is First Amendment protection or not."

The strongest legal attacks against CBS's decision to suppress its tobacco interview appeared in *The National Law Journal* and *New York Law Journal*. In the former, Jane E. Kirtley, executive director of the Reporters' Committee for Freedom of the Press, argued that "It is a sad day for the First Amendment when journalists back off from a truthful story that the public needs to be told because of fears that they might be sued over the way they got the information."

In a *New York Law Journal* column, James C. Goodale, who was general counsel for the *Times* during the Pentagon Papers case, went even further. Assuming the information *60 Minutes* had was "not only true but also in the public interest," Goodale wrote, "it would seem very difficult for *60 Minutes* to lose a suit" for broadcasting the interview. He called it "a slam dunk win. . . . Once the court is required to determine whether the publication of the embargoed facts is in the public interest, the case is over."

**"I'd rather take
my chances in
front of a jury
than take my
chances in front
of corporate
lawyers,"
said Rather**

THE 60 MINUTES AFFAIR

THE LESSONS

Assuming the facts are as reported here and there aren't any major pieces to the puzzle missing, what can we learn from the 60 Minutes experience?

We start by acknowledging the basic reality that no news story is perfect, as anyone who has ever been the subject of a news report and anyone who knows a good deal about the matter being reported on will readily testify. No news story that I've ever been involved with, including this article, has been entirely



Eric Ober, CBS News president, said it was "absurd" and a "cheap shot" to suggest that personal financial gain entered into the thinking about the deleted interview

without flaws, no matter how meticulous the reporter and the editor. That is especially true of an investigative report, which by definition tries to uncover facts that people go to great lengths and often great expense to hide. And the victim of an exposé, especially a rich and powerful victim, will seize on the slightest error to discredit the entire story.

In his breezy memoir, *A Good Life*, Ben Bradlee talks about his "eternal horror" at a major mistake *The Washington Post*

made during Watergate reporting secret testimony at a grand jury hearing. "The denials exploded all around us all day like incoming artillery shells. No one can imagine how I felt. We had written more than fifty Watergate stories, in the teeth of one of history's great political cover-ups, and we hadn't made a material mistake. Not one. . . . And now this. . . . [It] caused us anguish we had never felt before." Notwithstanding the blunder, the *Post* carried on, of course, and brought down a president.

Many of the First Amendment lawyers who commented publicly on the 60 Minutes case, talked about the rising threat to journalism from bold, aggressive corporate litigation that seeks to circumvent the press' traditional First Amendment protection. In recent years, the courts have been closing the door on giving protection to news media, especially in news-gathering. There is a growing perception that networks and broadcasters have run amok, poking cameras in keyholes, barging in with the police, intruding on citizens' privacy, showing no consideration for grieving parents and distraught children, and making ordinary people miserable in the glare of its camera's lights. There is a sense that the news media, as a result of their aggressive reporting on subjects of mere prurient interest rather than true public significance, are tearing away the civil rights of their subjects. The press is reaping the rewards of its own excesses, and now faces a tough, uphill argument before the courts; its First Amendment defenses are

being limited. It is essential that the press begin to think about these issues in *journalistic* as opposed to *legal* terms.

Still, while corporations like B&W and others seek to erode First Amendment standards through tough, relentless litigation that applies new areas of law to media cases, there is no evidence yet that they are winning significant battles or shockingly large judgments. A recent analysis by the Libel Defense Resource Center concludes, "As a general proposition, these claims have not fared well for plaintiffs." James Goodale said, "As far as I know, no news organization has ever been sued for what it published solely on a claim of inducing breach of contract."

Media companies, especially big, rich ones, have an obligation to fight fire with fire, and take on belligerent and litigious plaintiffs rather than be bullied by them. During my term at NBC News, Lyndon LaRouche, a sometime presidential candidate, sued the company for millions in damages for libel. We decided not only to defend the suit against us vigorously but also to sue LaRouche back. LaRouche lost both ways. NBC beat him on the libel suit and won a major judgment against him for his actions against us. It was a delicious victory. Best of all, the Justice Department used much of the evidence from our civil lawsuit to convict LaRouche.

There has been much talk about the role of lawyers in the 60 Minutes case and much debate about whether lawyers should be making news decisions. In the interest of full disclosure, it should be reported that the author of this article is a law school dropout, having abandoned Harvard Law School after the first year to find more interesting work on a magazine. But good lawyers are essential in cases like this, and CBS had very good lawyers. Their job is to assess the risks and advise what problems exist and what courses of action would be appropriate. But obviously, the responsibility for making hard decisions about whether to go forward and on what basis, rests not with the general counsel but with the head of the news division, and ultimately with the chief executive of the company.

In this instance, CBS was seriously handicapped because of its chief executive's personal and financial entanglements with a major tobacco company. Clearly, too, the pending Westinghouse merger played a not insignificant role, whether overt or subconscious, in how CBS management viewed the issue here, if only in influencing outsiders' perceptions of the reasons behind the decision. But the reality is that nothing can be done about such outside factors as ownership and mergers. News decisions must be made on their own merits, recognizing that those factors inevitably play a role.

What exactly was the role of the lawyers and was there anything inappropriate in what they did? Based on the information reported here, the views of CBS general counsel Ellen Kaden were decisive in the decision to quash the interview. It is apparent that she had reasons to be concerned and that her judgment carried great weight. With regard to the outside counsel, all of them, even the best, the most famous, and the most honorable, inevitably have their perspective influenced by the nature of their charge from the client, their perception of where the client wants to come out. Suppose Ellen Kaden told Cameron DeVore, "Look, this case really bothers me. I'm worried about

CBS NEWS

the people involved. I'm concerned about whether we have all the facts. My instinct and experience, along with the information I have, tell me we are in for trouble. Even the president of the news division and executive producer of the show seem somewhat ambivalent. Please look into this whole matter and let me have your opinion." DeVore would take on the assignment being acutely aware, from the very beginning, of the problems and risks at hand. As an able, independent-minded lawyer, that would not prevent him from concluding after he had researched the issues that in his opinion the risks were minimal. But he would more likely focus on the potential problems than look for ways to go forward with the interview.

On the other hand, suppose the CBS general counsel had said to DeVore, "This is a gangbuster story. It involves serious risks to the health of millions. It comes with problems, I know, but it would be a feather in our cap to pull it off and a great public service as well. If we can do it, it would be a shot in the arm for CBS, for CBS News, and for *60 Minutes*. It could even win us an Emmy. Please look into the issues and let me know if you think they are so insurmountable that we should not run the interview." His conclusions might have been framed rather differently.

The *Times* editorial charged: "The most troubling part of CBS's decision is that it was made not by news executives but by corporate officers, who may have their minds on money rather than public service. . . . With a \$5.4 billion merger deal with the Westinghouse Electric Corporation about to be approved, a multi-billion-dollar lawsuit would hardly have been welcome. Some of the executives who helped kill the *60 Minutes* interview, including the general counsel, stand to gain millions of dollars themselves in stock options and other payments once the deal is approved." Others in the press raised troubling questions about the personal motivation of the lawyers and executives who made the decision.

I have no problem with the press disclosing all the facts that could have influenced the decision, especially facts about who stands to make or lose money, so that readers can come to their own judgment about what is at stake. But I do have problems with the press presuming to read the mind of anyone involved in any story, as the *Times* did in its editorial.

To take a personal example, in 1990 this writer was diagnosed with a rare form of facial skin cancer that required extensive surgery and intensive radiation. Doctors speculated that my cigarette and cigar smoking may have been a cause, but they had no real evidence of it. My wife was sure that my smoking contributed to my cancer, based not on scientific knowledge, but on her own instinct. As a result, I stopped smoking, developed a strong personal interest in issues of tobacco and health, and joined the boards of several nonprofit groups focusing on cancer and heart disease. My interest in the subject may even have been a factor in my decision to write this story. It is useful for readers to know these facts so they can make their own judgments about the reporting and analysis on these pages. But does that mean I cannot do a responsible, professional, fair-minded job of journalism in this case?

What does the *60 Minutes* episode teach us about the newsgathering process, especially if the lawyers are right that the strong First Amendment protections that have been built up for publishing and broadcasting are not matched by compara-

ble First Amendment protection for newsgathering? In 1964, the Supreme Court applied First Amendment principles to defamation law in *New York Times v. Sullivan*, making it much more difficult for a public figure to win a libel or defamation judgment for irresponsible publishing or broadcasting. Now the pendulum involving judgments against the media seems to be swinging in the other direction. If that is the case, journalists have to be concerned not only with what they say, publish, or broadcast but also with how they go about gathering their information.

Breaking a law when gathering news, by trespassing, stealing documents, eavesdropping, or even misrepresenting who you really are, are generally unethical and are likely to generate serious legal problems down the road. Interfering with contractual relationships or causing deep emotional stress by using hidden cameras or scare tactics are also more likely today to provoke litigation. Here again, whatever unorthodox procedures

may have been used, full disclosure is always in order. Once the story broke, *60 Minutes* would have been better served if it had revealed the conditions of the interview, including telling its own correspondents, although that is easier to say in hindsight than to do at the time.

The *Wall Street Journal* called the veto power that CBS granted the interviewee an "oddity," as indeed it was, but that does not make it wrong or unprecedented. In their book *Strange Justice: The Selling of Clarence Thomas*, two veteran *Journal* reporters, Jane Mayer and Jill Abramson, revealed that Anita Hill insisted on the right to screen their questions in advance and to have her lawyers present at their interview. They also gave her their commitment that "no material from the interview be quoted for attribution until she first cleared it." The reporters decided that getting the Anita Hill interview was worth giving her veto power, and they were right — as long as they revealed the conditions under which they were operating.

In the real world of day-to-day newsgathering, news organizations cannot give away the editorial store to nervous subjects, nor can they afford to go overboard worrying too much about such procedures or they'll end up playing it safe and reporting from press releases rather than aggressively pursuing independent fact gathering. Based on the events in the *60 Minutes* case, Lowell Bergman's efforts to uncover alleged criminal and other malfeasance in the tobacco industry were a model of sound, effective investigative reporting.

The capable investigative reporters I have known (I've never met Bergman) are all of a type. They have a strong sense of

Too many questions remained, the general counsel felt, and any further efforts by CBS to find the answers might only serve to solidify the tortious interference case against it

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right and wrong and a tenacious determination to pursue wrongdoing and wrongdoers. The facts they require almost never drop into their laps unsolicited; the facts need to be uncovered and pursued relentlessly and aggressively. It is usually lonely, painstaking, frustrating work.

Our legal system should do everything possible to protect responsible investigative reporters and researchers and our trade should honor the best of them. So should their newspaper, magazine, and broadcasting employers. The problem with investigative reporting today is not that there is too much of it, but too little, particularly about serious issues. If one percent of the news resources now being spent on journalistic initiatives in pursuit of the secret lives of TV and movie stars, the private lives of public officials, and the personal peccadillos of sports heroes, were devoted to investigating the bad behavior of big government and big business, the country would be far better served.

Much criticism has poured down on *60 Minutes* for using as its main source in the B&W investigation a former official of that company who had been retained as a consultant on a previous tobacco story. "Checkbook journalism" is almost always deplorable because it tempts sources to tailor their stories to suit the paymaster. But it's an odd criticism to throw around in this case, as if the source could somehow have been seduced into becoming a whistleblower by receiving about \$12,000 for ten days' work and out-of-pocket expenses on another project more than a year earlier. Common sense suggests that, regardless of what a plaintiff may try to make of it in the courtroom, there was nothing inherently inappropriate about that process. Why that was held up for criticism by some journalists, even a few inside CBS, is something of a mystery. Perhaps because unlike doctors and cops, some members of the press enjoy nothing more than seizing an opportunity to discomfit one of their own colleagues. If Wigand had the goods, *60 Minutes* was right to move heaven and earth to try to get him on videotape. And once they had him telling his damaging story, understandably scared to death and worried about his family and his future, what is wrong with giving him an assurance that he still had time to think it over, that his interview would not be broadcast without his permission?

In addition, if a source is being used on the air because the producers are convinced he is telling the truth, why not offer to indemnify him against a libel suit, which is the only indemnification CBS originally agreed to? I admit, in my years in television, I never encountered such a written indemnification before. But if an investigative producer had come to me and asked whether it would be all right to commit NBC News to stand behind our source as long as he told the truth, I would have answered, "Of course, go ahead. It's the only honorable thing to do."

In his memo to the troops, CBS News president Eric Ober insisted that the newsgathering process on the tobacco story "was in every respect sound and appropriate" and that "nothing improper was done . . . by anyone involved." Based on everything I've learned so far, Ober is absolutely right about that. Bergman and his colleagues deserve prizes, not pillorying, for their efforts to expose what has evidently been going on in the tobacco industry.

One of the thorniest questions the *60 Minutes* case raises for news executives, and corporate executives whose companies own news divisions, is what obligations do they have to go public with the facts about a decision to kill a story when the threat of litigation is in the air? Can they afford to hide behind the response that journalists hate almost more than any other: "I can't talk about that now, it's in the hands of the lawyers." Goodale argues that "CBS must clear the air. . . . The public is entitled to know what happened." The press, more than any other institution, should be extremely reluctant to withhold information, he says. But the reality is that the journalistic process has always been among the most secretive of all. Journalists rarely allow outside reporters to cover their editorial deliberations. And lawyers can be very convincing that going public can be costly in a courtroom battle.

While the *Times* editorial writers demanded "full disclosure" from *60 Minutes*, that was not what their own newspaper and *The Washington Post* offered last November when the newspaper they both own, the *International Herald Tribune*, agreed to settle libel cases brought against it in Singapore courts for several opinion articles that offended the Singapore government (see "Singapore's Grip," *CJR*, November/December). The *Herald Tribune* paid damages, published apologies, and agreed to drop an appeal of the Singapore ruling. In response to criticism that the paper had been far too conciliatory, Katherine Graham and Arthur Sulzberger said both of their papers had repeatedly defended the principle of a free press, and added, "To think that we would set a different standard for a newspaper that our companies jointly own is ludicrous." Perhaps, but neither offered any explanation, much less "full disclosure," of why the *Herald Tribune* settled. The result was suspicion that business expediency prevailed over journalistic principles.

The settlement may well have been prompted by a legitimate and praiseworthy need to protect their employees or others in Singapore, in which case their failure to disclose the facts was fully justified. The only answer, in that event, is that a news medium that refuses to answer important questions, even for good reasons, has to know that people will think the worst of it. It comes with the territory. Meanwhile, Goodale points out, "CBS has now cultivated the impression that a company can bring and win an interference suit against the press. This will surely encourage corporations to require secrecy agreements of their employees, encourage judges to consider such suits seriously and encourage the public to believe that the suits are legitimate." Companies have the right to secure nondisclosure agreements from their employees, as allowed by law. But where malfeasance is suspected, the job of the press is to find it out.

One consolation about the press trying to stonewall information about itself: in most cases, the issue becomes moot because the press's stonewall is remarkably porous. Journalists are incurable gossips, a trait that probably attracted them to the business in the first place. Years ago, I suggested to a colleague that the best way to tell the three network news divisions apart was to look at how each one deals with its internal

gossip and gripes: At ABC News, theirs ricochet around inside the building. CBS News sprays theirs indiscriminately in public. NBC News leaks theirs anonymously.

THE BOTTOM LINE

Finally, to ask the unfair question of all: Assuming the facts are essentially as they were described here, what would I have done if I were running CBS News? The question is unfair because hindsight and second-guessing are a thousand times easier to do than making decisions in the midst of the maelstrom.

In real life on the news front, key information comes in dribs and drabs. The atmosphere is filled with distractions: Y's contract needs to be decided upon; X is unhappy with her beat; Z is being wooed by another network; a key program's ratings have begun to plunge; an important senator calls to complain that his party is being stifled; the White House wants to know why the president got short shrift on last night's news; a big story is breaking someplace where you have no correspondent or producer; the division's budget projections are overdue; you are late for a management meeting. . . . And this one damned story, which everyone is worried about, and which some predict will bankrupt the company, is demanding all of your time and attention. Some argue it is a great scoop. Others insist most of the facts have already come out.

I hope I would have moved heaven and earth to put the tobacco story on the air. Respecting the reservations of counsel, which were reasonable and offered by lawyers for whom I have high regard, I would nonetheless have insisted on getting a second legal opinion. Does that really mean, keep looking for a lawyer until you find one who agrees with you? The answer is yes, within reason. That is what *The New York Times* did in 1971 when its outside law firm, Lord, Day & Lord, advised the paper that the *Times* principals could go to jail and pay enormous fines if the paper continued to defy the federal government and publish the Pentagon Papers. Lord, Day & Lord resigned when the *Times* failed to heed its legal advice. Jim Goodale, the newspaper's general counsel, found other attorneys who had a different opinion. He was convinced that the law would treat the media differently because of the public interest concern and the First Amendment tradition. And he turned out to be right.

Now, the *60 Minutes* interview is hardly in the same league as the Pentagon Papers. For one thing, the Espionage Act is not involved in the tobacco story. Smoking is not a national security issue. So a decision to run the *60 Minutes* interview would not be nearly so momentous. I cannot imagine any court, especially an appeals court, and certainly the Supreme Court, upholding a multibillion-dollar judgment against a news division that is trying to serve the public interest, and ruling in favor of a tobacco company whose practices appear so questionable. A decision against CBS for tortious interference with a contract could be substantial, but is hardly likely to bankrupt a company worth \$5.4 billion. The fear of billion-dollar judgments was daunting, but common sense and all precedent suggest it was probably groundless. Corporate executives have a duty to protect the company's stockholders from undue risk. But owning a company with a news division is one of the risks CBS stockholders take. And it does not seem to me at all likely

that their stock values or dividends would be hurt in any major way by a decision to run the *60 Minutes* story.

I would have had another argument, too, a self-serving argument in the corporate interest: the very fact that CBS's parent company was in the tobacco business almost demanded that CBS do whatever it reasonably could to put the piece on the air, for its own self-respect and for its reputation. The fact that a merger was pending made the same demand. The worst thing that could happen to CBS would be to have the nation believe that it pulled back from an important news story for self-interested financial reasons, because of the company's impending sale and because of its association with a major tobacco company.

Besides, I have a precedent. In 1980, at PBS, we were faced with the issue whether to broadcast a controversial program, a docudrama called "Death of a Princess," about the execution of a young Saudi princess for adultery. PBS's plan to carry the program prompted powerful objections from the Saudis, the U.S. Secretary of State, most members of Congress, and several of our chief corporate underwriters, the Mobil Oil Co. and Texaco. Mobil launched a major ad campaign urging PBS not to run "Death of a Princess." I decided that on that

basis alone, we had no choice but to run the program. PBS could not afford to be seen as knuckling under to pressure from the government or especially from its major corporate underwriters, who, it turned out, continued their support undiminished.

Suppose the decision to broadcast the tobacco report gets vetoed by someone higher up, the president of the Broadcast Group or the c.e.o., for example. Should people at CBS News resign in protest? Certainly not, as long as the veto (even if mistaken) was prompted by a reasoned and legitimate disagreement with the judgment to run the story. That seems to be what happened in this case. If, on the other hand, there is real and hard evidence that the decision was made solely to protect the special financial interest of the parent company or the personal financial interest of the higher-up, that would be another matter.

The CBS News Division's standards and practices "bible" says, "Investigative reporting, to which CND has a longstanding commitment, often cuts deep and arouses sharp reactions, but must be free, nevertheless, to expose — and indeed we have a responsibility to expose — criminal activity, wrongdoing, and abuses of public confidence and trust." Five states now have sued the major tobacco companies, accusing them of conspiring for decades "to mislead, deceive, and confuse." Other investigations are under way. *60 Minutes* should broadcast its investigative report on an issue that continues to be both timely and big news. ♦

**One First Amendment
lawyer said that if
CBS's story was
true and in the
public interest,
any trial would
have been a
"slam dunk" win**

Fishing with the Net

A Starting Point

A Canadian journalist named Julian Sher maintains a site called "Investigative Journalism on the Internet," which provides an excellent overview of journalism-related cybersources. The site includes information about electronic mailing lists and links to U.S. government sites, World Wide Web search engines, lists of potential story topics, and hundreds of on-line newspapers and magazines. Much of this information can be found elsewhere on-line, but Sher's site is a good starting point for journalists who are new to the Web.

<http://www.vir.com/~sher/julian.htm>

RealAudio

Let's say you missed Bob Edwards and *Morning Edition* today on National Public Radio, and a friend tells you about a story you would have liked to hear. It used to be that if you wanted to hear it badly enough, you had to order a tape (\$15.45, with delivery in three to four weeks) or a transcript (\$11.50 for delivery by mail, or \$20.00 for delivery by fax or e-mail within twenty-four hours). No more. Now you can head over to the NPR portion of the Web site of a rapidly growing company called RealAudio, which has developed software — downloadable free from the site — that allows users to listen to specially configured sound files directly over the Web, avoiding the need for time-consuming downloading. This means that you can click on a link to a *Morning Edition* RealAudio file and listen to it within seconds — and jump effortlessly to any spot in the broadcast. The RealAudio Player can also be set up to receive broadcasts of RealAudio-configured live events (though this requires a 28.8 baud modem), enabling you to use your computer to listen to, say, a local radio show in Philadelphia while you're in Seattle; many radio and television stations are already experimenting with such live broadcasts. In existence only since April 1995, RealAudio is already being utilized by hundreds of sites, from *Index on Censorship* magazine to *Fortune* to Rádio Comercial Portugal, and links to many of these sites are included on RealAudio's site. Besides NPR, several other major broadcasters are experimenting with RealAudio, including ABC News, C-SPAN, and ESPN.

<http://www.realaudio.com/>

Who Said That?

Spicing up a story with a Shakespeare quote, and can't quite remember what play it's from? Hie thee over to this site, where Columbia University has put the entire 1901 (public domain) edition of *Bartlett's Familiar Quotations* on-line, complete with a built-in search engine, and "go to 't with delight" (*Antony and Cleopatra*, Act iv, Scene 4).

<http://www.columbia.edu/acis/bartleby/bartlett/>

990s, on-line . . .

The Internal Revenue Service has some good news for investigative reporters: the information-rich Form 990s, filed by all

nonprofit, tax-exempt organizations, are going to be available in the form of an electronic database. By 1998, the IRS will compile the database and offer it for sale; public-interest groups are expected to buy it and make it available. And some information is available already. The Washington, D.C.-based watchdog group Independent Sector and the National Center for Charitable Statistics have set up a demonstration project based on a sampling of 11,000 Form 990s filed in 1992. Also, the IRS has set up a listing of more than 100,000 organizations that must file the forms, along with their locations.

Among the newsworthy filers are foundations, think tanks, public broadcasting stations, charities, groups promoting causes, arts groups, and universities. Material in the 990s provides a concise snapshot of an organization's finances (see "A Tool For Digging, Courtesy of the IRS," *CJR*, January/February 1990), including salaries of directors, top staff, and highest-paid vendors; amount of money spent on fund-raising, marketing, and programming; and net assets.

Independent Sector: <http://www.bedrock.com/is/data.html>

IRS: <http://www.ustreas.gov/treasury/bureaus/irs/irs.html>

. . . and the SEC

Meanwhile, the Securities and Exchange Commission has made available — free and on-line — its filings of publicly traded companies, which are loaded with information ranging from executives' compensation packages to lawsuits, EPA settlements, accounting changes, large contracts, joint ventures, and marketing campaigns. The data will come directly from the government, and is available via the SEC's Web site:

<http://www.sec.gov/>

Tapping into Academia

Journalists looking for experts on just about anything now have a one-stop shop for sources. It's called ProfNet (from professors' network), a connection to thousands of authorities on subjects from "Amnesia in popular culture" to "Zolof and its side effects," and much in between.

Here's how it works: you contact ProfNet and your query then goes out via the Internet to more than 2,000 public information officers at some 800 institutions, mostly colleges and universities, who are interested in connecting their experts with the press. Soon you should receive a list of suitable sources and how to contact them. ProfNet was developed at the State University of New York at Stony Brook; founder Dan Forbush now runs it out of his home.

E-mail: profnet@vyne.com, fax: 516-689-1425, phone: 1-800-ProfNet. Also, check out the Web site: <http://www.vyne.com/profnet/>.

Compiled by Andrew Hearst, CJR's editorial/production assistant; Mark I. Pinsky, who covers religion for The Orlando Sentinel; and Sreenath Sreenivasan, an assistant professor at Columbia University's Graduate School of Journalism.

Marlin the Magician

by Lars-Erik Nelson

In December 1988, Soviet President Mikhail Gorbachev delivered a speech to the United Nations that heralded the death of communism. "We are, of course, far from claiming to be in possession of the ultimate truth," he said. Up to then, Marxism-Leninism had insisted that it was the only valid world view, the sole guide to the brighter future for all mankind, the inevitable winner in the implacable struggle of world-historic forces.

Gorbachev's announcement was the political equivalent of a papal statement questioning the Virgin Birth.

For Marlin Fitzwater, spokesman for Presidents Ronald Reagan and George Bush, the collapse of communism presented a unique problem: how to keep the Russians from getting credit for the end of the cold war. Never mind that the last of the twentieth century's historic battles between freedom and totalitarianism is ending; what's important is tomorrow's headline, the nightly network news, the weekend talk shows, the spin. So when Gorbachev reveals that he has lost the faith, the White House responds by demanding "deeds not words." When Gorbachev proposes unilateral troop reductions — unilateral! — the White House sneers that they are inadequate. When Gorbachev wants to include the word "coexistence" in a communiqué, Reagan's secretary of state, George Shultz, objects. And, when Gorbachev offers radical nuclear-arms reductions, Fitzwater infamously calls him a "drugstore cowboy," a phrase he now deeply regrets. (He also admits to doubting the Laffer Curve theory that tax cuts would increase federal revenues, and that the Star Wars missile-defense shield — a "Reagan bluff," he calls it — would ever materialize.)

When Fitzwater took over as White House spokesman in January 1987, he was greeted with an ovation from the press. The Iran-Contra storm was at its peak; Fitzwater

WELL...
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WHAT THE PRESIDENT
REALLY MEANT
WAS.....



would be the calm old pro: to an administration trapped in ideological zealotry, Fitzwater would bring his years of civil service (at Treasury and in Vice President Bush's office), his seeming lack of partisanship, his reputation for integrity. Those assets quickly lost their value, however, as the affable bureaucrat found himself transformed into a political spokesman in one of the most divisive and personal struggles Washington has ever

seen. He handled this transition gracelessly, making tasteless jibes about Mario Cuomo's Italian name and leading the verbal attacks on Bill Clinton in Bush's bitter campaign for reelection.

For a professional government spokesman, Fitzwater has a curiously distorted attitude about the press. He assumes, as do many, not only that the press as a group is liberal, but also that it has a specific liberal agenda.

CALL THE BRIEFING! REAGAN AND BUSH, SAM AND HELEN: A DECADE WITH PRESIDENTS AND THE PRESS

BY MARLIN FITZWATER
TIMES BOOKS
399 PP. \$25.

After the 1992 Los Angeles riots, for example, when the Bush administration proposed tax breaks for inner-city businesses, Fitzwater writes, "The liberal press corps, of course, wanted direct social programs like Job Corps and federal work programs." It must fit some right-wing fantasy: all those White House reporters sitting around in their cubicles wondering how they can force a Republican president to resurrect the Great Society.

Fitzwater complains that the liberal press was so in love with Clinton that it never made an issue of his ducking the Vietnam War, which will surely come as news to Clinton. And in one bizarre piece of speculation, he says that the

Lars-Erik Nelson is Washington columnist for the New York Daily News.

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White House press corps arrives to work angry every morning because the ever-loyal Secret Service guards, resentful of liberal press criticism of their president, harass even the most famous reporters at the gate by questioning their identities. This is utter nonsense. Security can be a nuisance, but the uniformed guards at the White House routinely wave reporters through upon presentation of their Secret Service press passes.

Now, for wicked little inside tales: Did you know that George Bush's scheduling secretary consulted an astrologer? Or that tough-guy John Sununu wept when he was fired? Or that when POTUS (President of the United States) Bush got sick at a state dinner in Japan, the beeper message to White House staff said "Potus barfed in dinner"? Or that Jack Kemp chased Jim Baker out of the Oval Office and almost came to blows with him over U.S. policy in the Baltics? Or that the publisher of *The New York Times* sent in a quasi-apology over that newspaper's hyped story that Bush could not recognize a supermarket scanner? For members of the press, Fitzwater will confirm some long-held suspicions. Yes, the White House does play favorites. It protects *The New York Times*, *The Washington Post*, *The Wall Street Journal*, and the networks on major stories and on critical inside-the-room background information. Fitzwater had high regard for ABC White House correspondent Brit Hume and looked after him. He had foes: David Hoffman of *The Washington Post*; Rita Beamish of *The Associated Press* ("She opposed every Republican program. She was pro-choice, pro-welfare, for bigger government, anti-military, and a feminist").

Although Fitzwater's memoir can be petty and dispiriting, it is unexpectedly graced by an evocative, almost poetic portrait of the small-town Kansas world in which he grew up. Amid the tale-telling, score-settling, and political gamesmanship that dominate *Call the Briefing!*, the Kansas years are a gentle oasis, filled with decent and honest people who would be utterly baffled at the amount of time, energy, and intelligence their national leaders expend on this thing called spin.

The Big One

by Christopher B. Daly

I cover New England — a region that has not seen war for 220 years — for *The Washington Post*. It is a far cry from Margaret Bourke-White's adventures spotting artillery from a Piper Cub over Italy, or Ernie Pyle's description of "the fantastic surge of caterpillar metal" in a tank battle in Northern Africa, or Homer Bigart's peerless account of the Battle of San Pietro, in which he wrote:

Outstanding among Frazier's men was Lieutenant Rufus J. Cleghorn, of Waco, Tex., a barrel-chested football player from Baylor University. Exulting in battle, Cleghorn clambered to the highest rock of Samurco's pinnacle and howled insults at the Germans, pausing now and then to toss grenades. For variety, Cleghorn occasionally put his weight against a huge boulder and sent it rolling down the slope. He roared with laughter as Germans attempted to dodge the hurtling boulders.

Talk about material! You couldn't top a name like Rufus Cleghorn if you tried to make it up, and you certainly couldn't top the word-picture Bigart made.

So it is with a mixture of emotions that I meet — or, in some cases, get reacquainted with — the writers collected in *Reporting World War II*. Here are all the great pieces with those now-legendary bylines — the warnings about Hitler



Ernie Pyle in Europe, 1944

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from William Shirer and Edward R. Murrow, the gustatory adventures of A.J. Liebling, the narratives of the great battles, a gently bemused E.B. White piece about a visit by Dorothy Lamour to a bond rally in Maine, Janet Flanner's letters from Paris, John Hersey's account of Hiroshima, plus dozens more pieces by Martha Gellhorn, Bigart, the whole gang. They wrote marvelous pieces, and I notice that they did it all without

briefings, without flaks or pre-packaged soundbites, without laptops and cell phones and all the rest. They wrote these pieces working against censors and scarce cable time and mud and danger and death. They humped all over the world, lugging their portable typewriters, their smokes, and their dry socks through mud and snow and sand and brought back great stories.

Boy, did they have access. I notice in

Christopher B. Daly is a writer and teacher in the Boston area.

reading an account of the Battle of Midway, the greatest naval engagement in history, that the writer Foster Hailey was right there on the deck:

The Japanese bombers were paying little attention to the cruisers or destroyers. One, however, after dropping his bomb, turned toward the Astoria and gave us one squirt from his machine gun. It was his last one. As he flew past the cruiser at bridge level, the 20-millimeter guns went to work on him. His gunner was already slumped over as he flew past the ship and as he passed the bridge, only fifty feet above the water, he too was hit and sagged down against the side of his cockpit. His plane never came out of its shallow glide, but plunged into the water astern.

And Hailey was not alone. Vincent Tubbs, for example, writing in the

REPORTING WORLD WAR II

LIBRARY OF AMERICA

VOL. 1, 1938-1944, 912 PP.

VOL. 2, 1944-1946, 970 PP. \$35 EACH.

Baltimore Afro-American, described the bravery of a black unit patrolling the jungles of an island in the Southwest Pacific, hunting "Japs."

Pinned down in the brush beside the trail, Pvt. Gilliam of Cincinnati, firing a Browning automatic rifle, knocked off six, blasting one out of a tree and almost cutting him in half with the rapid fire. Pfc. James Cofer of Washington, Ga., held the gun in position by its hot barrel with his bare hands, then, firing a Buck Rogers machine gun, crawled forward to cover Pfc. Ed Bradford of Hodge, La., whose machine gun jammed, while Bradford sought cover.

When I read this piece I can't help wondering what ever happened to Pfc. Cofer. Did he make it? Did he ruin his hands? Where is he now?

The war correspondents also did a great job at explanatory journalism. Here, for instance, is A.J. Liebling, on the anatomy of a landing craft, which he rode to the beach at Normandy on D-Day:

The LCIL [Landing Craft, Infantry, Large] has a flat bottom and draws only five feet of water, so she can go right up on a beach. Her hull is a box for carrying men. . . . An LCIL has a stern anchor which she drops just before she goes aground and two forward ramps which she runs out as she touches bottom. As troops go down the



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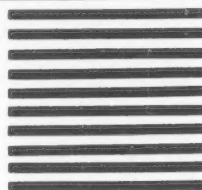
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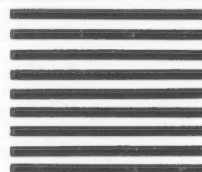
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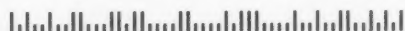
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ramps, the ship naturally lightens, and she rises a few inches in the water; she then winches herself off by the stern anchor, in much the same way a monkey pulls himself back on a limb by his tail.

That monkey tail is pure Liebling, but the imagery has much in common with the rest of the war writing. As a group, these writers emerge as the masters of a certain kind of American prose, the plain style. With legions of simple declarative sentences, they take readers onto beaches, out to sea, and into the air. Their works are amazingly free of puffery and bombast and sentimentality, which may be the reason they stand up so well. At the same time, though, many of these writers managed to anticipate much of the vaunted "New Journalism" that was to follow — in their use of the full array of narrative techniques and in their attempts to get inside the heads of their subjects.

Sometimes, of course, the writers got too close to the action and never came back. Chief among them was Ernie Pyle, the poet of the foot soldier, the author of piece after piece about slogging through Italy, France, and the Pacific. With headlines like "Brave Men. Brave Men!" and "The God-Damned Infantry," Pyle brought the war home to a pre-television America. In March 1944, covering the Italian campaign for Scripps-Howard, he captured life in the foxhole:

When a man is wounded, he just has to lie there and suffer till dark. Occasionally, when one is wounded badly, he'll call out and the word is passed back and the medics will make a dash for him. But usually he just has to treat himself and wait until dark. For more than a week these boys lay in water in their foxholes, able to move or stretch themselves only at night. In addition to water seeping up from below, it rained from above all the time. It was cold, too, and of a morning new snow would glisten on the hills ahead.

Pyle slogged on until the next April, when he was killed by a Japanese machine-gunner on a tiny island off Okinawa.

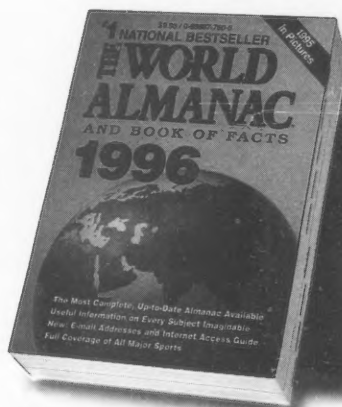
I have no wish to see combat myself, but I do admire the war correspondents' bravery and I envy them in other ways. I envy all the little things — their trenchcoats and their English

suits, the burgundy and bordeaux, their pipes and their Camels. Facing death, they could drink and smoke and the hell with tomorrow. I think of A.J. Liebling, perhaps the greatest gourmand of his generation, noshing and chomping his way from Normandy to Paris, awash in wine, cheese, and cholesterol.

More than that, I wonder what it would be like to share the deeper satisfactions I imagine they enjoyed. So many of them, for example, wrote in the

first-person plural. They said "We took this hill . . ." or "the Germans gave us heavy fire" or the like. I don't think I have ever used the first-person plural, for the good reason that the journalistic stance has changed since 1945. There is no single national purpose to identify with, and if there were, there's a good chance that journalists would stand aside. All of which may be necessary and even wise, but I still envy Pyle and Bigart and the others their solidarity with the troops.

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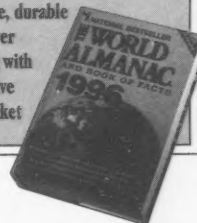
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Edward R. Murrow (center) with William L. Shirer (right) in a Paris café

On an even deeper level, I also feel envious of them as writers for the material they had. Not to belittle for a moment the horror of war, but they certainly had a great story line. Not only did they have an overall theme of "good guys and bad guys," but they had the pleasure of describing pure action, a job we are losing every day to CNN and our other camera-toting colleagues. The fact is, editors rarely send us to the beaches to describe what happened. Or if they do,

we go knowing that no one will read it. We go to second-guess the generals, or to write world-weary pieces about the media overkill we are part of.

I realize that the war correspondents did not create their times, any more than I do mine. But they certainly rose to the occasion. As a journalist, I have to admire the greatness of their themes, the beauty and power of their words. So to those writers who covered the Big One, I offer, across half a century, a salute.

A War of Their Own

by Raymond A. Schroth

Those of us for whom the Vietnam War was an intellectual and moral watershed, even though we were too old to fight it, have a short list of epiphanies — momentary flashes when we saw, more clearly than before, the ethical consequences of our country's policy. The earliest ones we owed to the press.

My second epiphany came last summer when I journeyed alone to Vietnam, walked the streets of Hanoi, Hue, Danang, and Saigon; peered down at the entombed corpse of Ho Chi Minh; gawked at the old Austin Healy which, in the summer of 1963, the monk Thich Quang Duc drove from his Hue pagoda to the Saigon intersection where he set himself afire. I gazed out over downtown Saigon (now Ho Chi Minh City) from the roof of the Caravelle Hotel, legendary watering hole of the war correspondents, where, according to David Halberstam in *The Powers that Be*, CBS's Peter Kalischer took Walter Cronkite aside during the Tet offensive and gave

Raymond A. Schroth, S.J., journalism professor at Loyola University in New Orleans, is author of *The American Journey* of Eric Sevareid.

him the real scoop. And where, according to a nasty *Time* magazine story (September 20, 1963), the Saigon press "club" arrogantly researched the war by talking to each other.

But as I worked my way through the old weapons, the guillotine, the photo exhibits in the War Crimes Exhibition — GIs display the severed heads of their

ONCE UPON A DISTANT WAR

BY WILLIAM PROCHNAU
TIMES BOOKS
546 PP. \$27.50.

**ON THE FRONT LINES:
FOLLOWING AMERICA'S
FOREIGN CORRESPONDENTS
ACROSS THE TWENTIETH CENTURY**

BY MICHAEL EMERY
AMERICAN UNIVERSITY PRESS
346 PP. \$24.95.

enemies, etc. — I was not shocked. I had seen some of these pictures — like the My Lai corpses, water torture, and the dead Vietcong dragged behind a truck — twenty-five years before in the American underground and mainstream press. I had read Neil Sheehan's description of what cluster bombs do in *The New York Times*.

Whatever the limitations of Vietnam coverage, somehow the story got out; the public that paid attention and did some digging had the information on which to base a moral, as well as political, judgment.

Michael Emery's *On the Front Lines* and William Prochnau's *Once Upon A Distant War* have much in common. Both share two assumptions: that a democracy depends on the press to inform the public on foreign policy issues; and that in spite of the heroic efforts of some correspondents, the public is often ill-informed. Both books glorify their central characters, reporters who, at historic moments, overcome obstacles — some in the field, some at their home desks — to get out the stories that the public needs but does not always want. The press also disappoints: limited by the reporters' or the publishers' or Washington's agenda, it fails to get the story right.

Emery, in a series of clearly focused case studies — the opening days of World War I, the Munich crisis, Korea, El Salvador, Nicaragua, and particularly the Middle East, which he covered as a free-lancer — paints the broad scholarly

background from which Prochnau's colorful Vietnam narrative can emerge. For example, between 1901 and 1914, the prolific Frederic William Wile dispatched close to a million words to British and American papers warning of Germany's military buildup, to no avail. In El Salvador, Raymond Bonner's 1982 *New York Times* exposé of the massacre at El Mozote led to his leaving the *Times* and being vilified as a liar for years. In the Persian Gulf war, "patriotic journalism" in the World War II mode

failed to develop the story of King Hussein of Jordan's diplomatic attempts to avert a war that didn't have to happen.

Once Upon A Distant War is a great story, oft-told but waiting to be told again, a variation on the "band of brothers" theme in which a glamorous group of young correspondents — like "Morrow's boys" — broadcasting the London Blitz — both make and report history at the same time.

Between the departure from Vietnam of *The New York Times's* beloved

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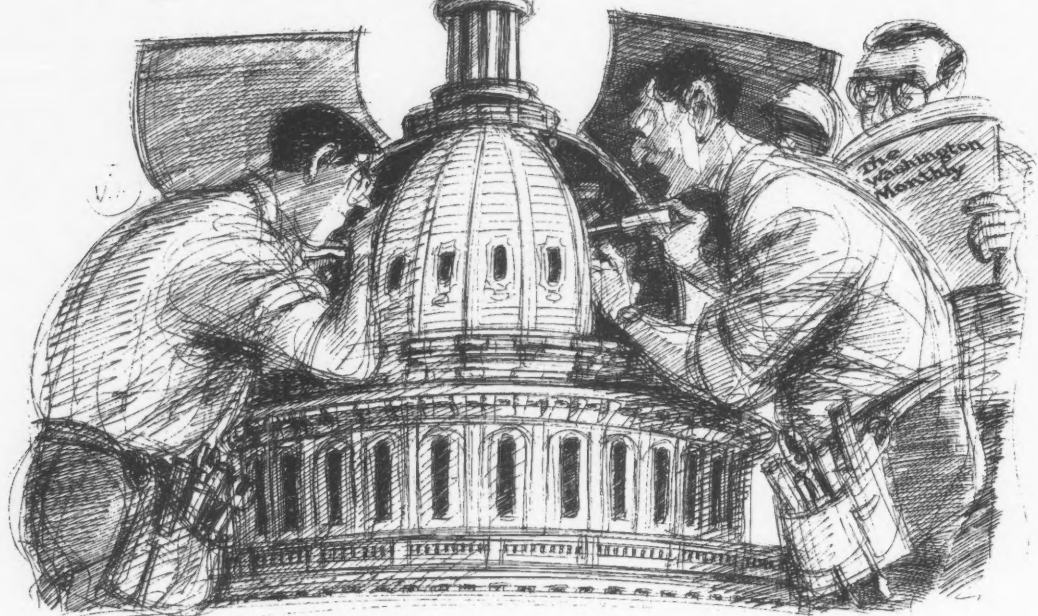
Hardy, Mayer and Barnes were 1994-1995 Fellows in the Knight-Bagehot Fellowship, an intensive program of study at Columbia University for journalists interested in improving their understanding of economics, business and finance. Recent guest speakers have included Warren Buffett, John Kenneth Galbraith, Richard Jenrette, Paul Craig Roberts, Walter Shipley, William Steere, Howard Stein, Saul Steinberg, Myron E. Ullman III, Paul Volcker, Masamoto Yashiro and Mortimer Zuckerman.

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"... holds up a deadly accurate mirror to the Washington political culture, exposing its hypocrisies, stupidities, and unexpected triumphs." —*Chicago Tribune*



grouch, Homer Bigart, in 1962 and the assassination of the U.S. puppet South Vietnam President Ngo Dinh Diem in 1963, *Time's* Charles Mohr, *Newsweek's* François Sully (whom Diem expelled), United Press International's Neil Sheehan, the *Times's* David Halberstam, and The Associated Press's Malcolm Browne and Peter Arnett carried on a war of their own.

Bigart, fifty-four, the young men's generational link to World War II and the Korean conflict and revered as one of the greatest war correspondents of the century, hated both the war and the place. Where some critics have seen the American presence as corrupting a beautiful Asian people, the crusty Bigart saw a "sinister" Vietnam corrupting the Americans. His successors, however, initially supporters of the administration's goals, plunged headlong into both the culture and the conflict. They romanced, married, or abandoned beautiful Vietnamese women; prowled the opium dens in the tradition of Graham Greene; toted guns and hitched helicopter rides into battle; cultivated sources like Col. John Paul Vann — later the centerpiece of Sheehan's *A Bright Shining Lie* — and Buddhist monks who did their best to manipulate them to their own ends.

The turning point for both Emery and Prochnau is the January 2, 1963, battle of Ap Bac, a Mekong Delta village forty miles southwest of Saigon. The plan had been for an American-advised South Vietnamese helicopter force to swoop in and spring a trap on Vietcong guerrillas. Instead, the guerrillas, who had been practicing how to shoot at helicopters for days, shot down five helicopters and, losing only eighteen men, killed eighty government troops and three Americans. The military spokesmen tried to call it a victory.

The correspondents soon came to see as their real enemies not the communists but the lying generals, like the dim-witted, polo-playing General Paul Harkins, who never visited the battle front. After the generals came dissembling state department officials, the corrupt Diem family, and the toady, drop-in-fly-out, big-name writers like

Joseph Alsop and Bigart's rival from the Korean War, Marguerite Higgins, who not only refused to acknowledge the self-destructive effects of the administration's strategy but also portrayed the Saigon reporters as bad Americans who, in the words of Admiral



Time's Charles Mohr clashed with his editors

Harry Felt, refused to "get on the team."

As Prochnau's narrative rushes on, the reporters, rather than the history unfolding before their eyes, become the focus of the controversy. Malcolm Browne, on June 11, 1963, acting on a tip, brings his camera to a Saigon intersection, not knowing what to expect. There, though overwhelmed with nausea, he methodically clicks away as Thich Quang Duc goes up in flames. The next day, his picture makes front pages all over the world, and President Kennedy, delivered his morning paper in bed, exclaims, "Jesus Christ!"

Charles Mohr, who clashes repeatedly with *Time's* "autocratic" managing editor Otto Fuerbringer, begins a file on Madame Nhu with "Vietnam is a graveyard of lost hopes," and when *Time's* cover story does not reflect his interpretation, he accuses *Time's* home desk of "shelling its own troops." When *Time* publishes its piece on the Caravelle "club," Mohr resigns.

Halberstam, the twenty-eight-year-old Harvard boy, pounds out 3,000 to 4,000 words a day on his Olivetti; he documents the ARVN's sloth and the guerrillas' victories, bellows his anger at ambassadors, calls a general a liar

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to his face, relishes every insult, angers the copy desk with his prose, and takes up the cause of the Buddhist monks with a zeal that drives Madame Nhu berserk. The author of *The Best and the Brightest* and *The Powers That Be*, which I assign to my classes, is a pain in the tail. But Halberstam's account of the coup against Diem helps clinch his and Browne's shared Pulitzer Prize.

If Prochnau's story is so good, why isn't this a better book? Partly the style. Prochnau writes in the odd tense called the "future past," for which critics lambasted Halberstam a generation ago. Four "woulds" a page: the reporter who smoked the dope *would* tell his wife years later that he had been the one who *would* . . . blah blah. Partly, the tone. The writer's self-righteous, hectic, unanalytical voice. Author of *Trinity's Child*, a best-seller which became an HBO movie, Prochnau seems to have aimed this one at *Vanity Fair*, which has run an excerpt, and HBO, which has bought the TV rights. TV cringes from ambiguity like Dracula from a crucifix. Thus unambiguous TV characters: gutsy, sexy, in-your-face reporters; idiot, polo-playing, press-hating generals; a screwy family of Oriental despots; and a "crisis-prone" president — lest he lose an audience of channel-surfing couch potatoes.

On the Front Lines, though occasionally textbooky in its accumulation of names and dates, is a better book, a good story with a moral center: the author's dedication to the importance — the necessity — of foreign correspondents in an era when their numbers are shrinking.

Emery concludes that the Browne-Mohr-Halberstam-Sheehan stories, for all the fuss, had little impact; the U.S. lunged blindly into the swamp until rising U.S. casualties and TV made the public — and broadcast executives — pay attention. At a dinner party in 1989, Sheehan, in a gloomy moment, described President Nixon toying with the lives of hundreds of thousands of Asians as if he were playing chess. Any president, he told Emery, would use cruel force to ensure a foreign policy gain.

Unless journalists stop him.

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Dennis F. Giza, Associate Publisher

GALLUPING ON THE IRON HORSE

Polling on trains was convenient for journalists, who needed to travel for assignments anyway. Yet newspapers often published straw polls contributed by readers who were themselves traveling on trains. One man who traveled extensively during the summer of 1856 polled 2,886 people during his trips through the Northeast. All twenty-three of the individual votes taken during his train rides were published by *The New York Times*. Additionally, this gentleman provided commentary on how these statistics were compiled and patterns noticed in the data. For example, he noted that "of literary men, collegiate professors, teachers &c., seven-eighths were Republicans," and that "of forty-two ministers of the Gospel, thirty-nine affirmed they should vote for Fremont; one for Buchanan, and two for Fillmore." Although there were some exceptions, reporters and corres-

pondents rarely attempted to connect the passengers' area of residence, political party, or ethnicity with their choice of candidate: the only important piece of



ARRIVAL OF THE EDITOR WHO IS ALWAYS TAKING STRAW-VOTES

information was the way a particular individual planned to vote. During the 1896 election, a railway employee reported poll data to the *Chicago Tribune*:

John J. Byrnes, General Passenger Agent and Auditor of the Southern California railroad, reached Chicago yesterday morning on a Santa Fe train on which, among other passengers, were seventy-five Californians. Some one polled the denizens of the Far West and Bryan got fifteen votes. Just before Mr. Byrnes came East a large manufacturing plant in Los Angeles in which 1000 men are employed was polled, and McKinley was the choice of 997. Mr. Byrnes, who until this campaign has been a Democrat, is confident Mr. McKinley will carry California by a big majority.

FROM NUMBERED VOICES: HOW OPINION POLLING HAS SHAPED AMERICAN POLITICS, BY SUSAN HERBST. THE UNIVERSITY OF CHICAGO PRESS. 227 PP. \$14.95.

LAST WORDS

We need for our broadcasters once again to champion and employ the power of words as well as the power of images. This is not only in the public interest, but in their own. Informative broadcasting relies, in the end, on an audience that places some premium on the value of ideas. If its discourse is increasingly impoverished, then the audience will retreat from information-based programs into the wholly pictorial realm of video games and interactive fictional programming, where the audience has the illusion of deciding what happens. Then there will be no more market for television news or talk shows. What the informative shows are doing by embracing images and diminished language is the equivalent of a restaurant slowly poisoning all of its customers.

FROM THE INARTICULATE SOCIETY: ELOQUENCE AND CULTURE IN AMERICA, BY TOM SCHACHTMAN. THE FREE PRESS. 296 PP. \$25.

THE BIG FOUR RISE TO THE OCCASION

Among the most prestigious newspapers and news magazines, a feverish competition broke out to see which of these mighty organs of communication could offer the most comprehensive possible account of the current crisis.

The New York Times provided readers with a twenty-four-page insert, entitled "American Dilemma," featuring short essays by seventy-five prominent writers, intellectuals, politicians, and performance artists, from every conceivable angle ("Founding Fathers' Flaws — A Latino Perspective"). *The Washington Post* provided a breakdown of the potential votes of every member of the House and Senate should the contests for president and vice president be thrown into the Congress ("Outcome Uncertain, Experts Agree"). *The Wall Street Journal* published the longest editorial in its history, asserting that the crisis was rooted in the moral sewer of the 1960s, and the tyrannously high marginal income-tax rates. And the *Los Angeles Times* on Sunday published a 125,000-word account of the crisis — a story that began on page 1, then jumped to pages 12, 13, 16, 22, 24, 26, 37, 39, 44, 45, 51, and 55-59. One irate reader responded by calling the paper's "Readerline" and reciting the entire article into the paper's voice-mail system, disabling it for six hours.

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GOP hopeful on welfare

The Atlanta Journal 9/20/95

Little Progress In Gligorov Assassination Attempt

Illyria (Bronx, N.Y.) 10/5/95

© Deceived by Trust: A Moment of Truth Movie (1995, TVP). Stephanie Kramer, Michael Gross, Shannon Felt, Conor O'Farrell. High school principal accused of sexually harassing students and probing social worker. (CO) 9859

The New York Times 10/23/95

Deer interfering with jets being shot at Philly airport

The Arizona Daily Star 11/17/95

Demolition Program Removes Blight, Criminals To Ready Area For Reinvestment

St. Louis Post-Dispatch 11/16/95

Albany Approves Tax Breaks for Lower Manhattan Buildings

The New York Times 12/13/95

Clinton makes
domestic violence
appeal to men

Daily News (Bowling Green, Ky.) 10/15/95

Study: Doctors keep dying
alive against their wishes

The Des Moines Register 11/22/95

Minneapolis bars putting leaves in street

Minneapolis Star Tribune 11/6/95

It's tempting to compare life at KBCS 91.3 radio to the opening of Great Expectations. You know, the best of times and the worst of times.

Journal American (Bellevue, Wash.) 10/3/95

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Observer-Dispatch (Utica, N.Y.) 11/5/95

Murder suspect gets appointed attorney

Independent Journal (Marin County, Calif.) 11/10/95

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